

bill 476 and House bill 2562 providing for increased rates of pension to the men who served in the armed forces of the United States during the Spanish-War period; to the Committee on Pensions.

5369. By Mr. SELVIG: Petition of World War veterans' organizations at Sunmount, N. Y., and Fort Bayard, N. Mex., urging support of petition to bring Rankin bill to the floor of the House; to the Committee on World War Veterans' Legislation.

5370. Also, petition of Renville Cooperative Creamery, Renville Farmers Elevator Co., Renville Shipping Association, and Farmers Cooperative Oil Co., of Renville, Minn., urging enactment of adequate tariff rates for agriculture—the American market to be supplied by the American farmer, in so far as he is able to supply it; to the Committee on Ways and Means.

5371. Also, petition of Flax-linum Co., of St. Paul, Minn., C. C. Martin, president, urging that tariff on palm fiber be increased in order to raise price farmers receive for threshed flax straw; to the Committee on Ways and Means.

5372. Also, petition of Hannaher & O'Neil, of Moorhead, Minn., urging enactment of House bill 11, known as the resale price maintenance bill; to the Committee on Interstate and Foreign Commerce.

5373. Also, petition of T. M. Thomson, member Veterans of Foreign Wars' legislative committee, in support of House bill 7888 providing for total permanent disability for veterans who have lost an arm or leg or suffered loss of sight or hearing while serving in the World War; to the Committee on World War Veterans' Legislation.

5374. By Mr. SLOAN: Petition of Gordon Smith and 64 others urging passage of Senate bill 476 and House bill 2562 providing for increased rates of pension to the men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

5375. By Mr. SPEAKS: Petition signed by 70 citizens of Columbus, Ohio, urging support of House bill 2562 proposing increased pension rates for Spanish War veterans; to the Committee on Pensions.

5376. By Mr. TURPIN: Petition of citizens of Luzerne County, Pa., favoring the passage of Senate bill 476 or House bill 2562; to the Committee on Pensions.

5377. By Mr. WIGGLESWORTH: Petition of Charles H. Fisher and several residents of Weymouth, Mass., urging the passage of House bill 2562 to increase the pensions of the Spanish War veterans; to the Committee on Pensions.

SENATE

FRIDAY, March 7, 1930

(Legislative day of Monday, January 6, 1930)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

CUSTOMS CENSORSHIP OF IMPORTED LITERATURE

Mr. CUTTING. Mr. President, because of the unexpectedly early recess yesterday afternoon I was unable to present at that time a petition which I had received from more than 500 educators, ministers, editors, librarians, authors, and other intellectual leaders of the United States, who are protesting against the present system of censorship by customs inspectors as provided in paragraph 305 of the tariff bill.

While I have had nothing personally to do with the preparation or circulation of the petition, I understand it was sent out through the National Popular Government League in order to test the opinion of censorship held by those citizens of the Nation most fitted by training and experience to judge.

The original framers and signers of the petition were Prof. Isaac E. Ash, of Ohio University; Prof. Charles A. Beard, author of *Rise of American Civilization* and countless other sociological works; Prof. Zachariah Chafee, jr., of the Harvard Law School; Prof. John Dewey, of Columbia University; Mr. Judson King, director the National Popular Government League; Prof. Joseph Mayer, executive secretary and treasurer of the American Association of University Professors; Dr. Harold G. Moulton, president of the Brookings Institution; Dean Roscoe Pound, of the Harvard Law School; Jackson H. Ralston, of California, attorney and author; Prof. E. A. Ross, of Wisconsin University; and William Allen White, of Kansas, editor and author.

I shall not read the list of signatures, but I shall be very glad if each Senator will read it for himself after it appears in the RECORD. It seems to me it is a most impressive demonstration of the unanimity on this subject on the part of men who in other respects differ in opinion, occupation, and political belief.

The petition is very brief and I shall read it to the Senate, because it so admirably illustrates the resentment of all progressive and forward-looking people toward the suppression of free thought and free speech embodied in section 305 of the pending tariff bill.

I had intended to say that Swift and Voltaire would have enjoyed the final ironic suggestion contained in the last paragraph, but on reading this morning's papers I find that the lot of the ironist is hard. Many of the papers have taken seriously a suggestion made by these educators that a commission be intrusted with the duty of deciding how much of ancient literature and of modern science should be allowed to reach the libraries, the scientists, and the statesmen of twentieth century America. Therefore I warn the Senate that the last paragraph of the petition is intended in a semisarcastic vein.

Mr. JOHNSON. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New Mexico yield to the Senator from California?

Mr. CUTTING. I yield.

Mr. JOHNSON. Do I understand the Senator to warn us about some sarcastic matter to which he is about to refer?

Mr. CUTTING. I think, perhaps, the Senator himself has had experience with matter which has been taken seriously contrary to the wishes of the author.

Mr. JOHNSON. I was going to suggest that the Senator label it and send it to the press gallery, otherwise it might be misunderstood.

Mr. CUTTING. I include the occupants of the press gallery at the suggestion of the Senator from California.

Mr. WATSON. Mr. President, is the question of censorship before the Senate at this time?

Mr. CUTTING. No. This is a petition which I received yesterday and which I am about to read to the Senate. The petition reads as follows:

PETITION TO CONGRESS

Whereas section 305 of the existing tariff bill now contains a large and general power of censorship over imported literature, which permits customs inspectors and courts to exclude from entry works of Chaucer, Shakespeare, DeFoe, Swift, Fielding, Smollet, Aristophanes, Ovid, Dante, Voltaire, Rousseau, Tolstoy, Swedenborg, Ibsen, and Zola, and contemporary writers of great distinction in other countries; also to exclude scientific books in the fields of medicine, psychology, etc.; and

Whereas it is proposed in the pending tariff bill to extend this censorship to include all literature and empower customs clerks and judges to exclude from entry the works of leading thinkers of Portugal, Spain, Italy, Yugoslavia, Russia, and other countries, and certain speeches of the Chancellor of Germany and Premier of Great Britain which contain political and economic ideas contrary to those prevailing in the United States:

We, the undersigned, respectfully request the Congress of the United States to remove the existing censorship from foreign literature and to decline to extend it.

But if Congress in its wisdom thinks it necessary to protect American citizens at large against literature of this character, we respectfully beg to suggest that it create a commission of five, no more than three members to be of the same political party, to supervise the entry of literature with the view that the Library of Congress, college and university libraries, and other accredited libraries may import, with the consent of the commission, works otherwise deemed objectionable, that such works may, under proper safeguards, be consulted by mature students, editors, and writers on foreign affairs, the Department of State, Members of Congress, other statesmen, and scientists in order that trustworthy experts may become acquainted with the literature and opinions of various countries with which the United States maintains commercial if not diplomatic relations.

The petition is signed by 28 university and college presidents; 18 deans and heads of departments; 26 clergymen and teachers of religion; 23 leading librarians; 30 judges, lawyers, and professors of law; 38 editors of magazines and newspapers; over 100 scientists and teachers of science; over 100 professors of liberal arts; some 20 novelists, poets, and authors of national and international distinction; and many other men and women who may truly be said to have national reputations.

I ask that the letter accompanying the petition and the signatures to the petition be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The letter and the signatures to the petition are as follows:

NATIONAL POPULAR GOVERNMENT LEAGUE,

Washington, D. C., March 6, 1930.

Hon. BRONSON CUTTING,

Senate Office Building, Washington, D. C.

DEAR SIR: I inclose herewith, with request that it be presented to Congress, a petition which indicates the attitude of leaders of thought

toward the present administration of Federal censorship laws and their opposition to section 305 of the tariff bill as it came from the House and Senate committees.

The withering irony of the last paragraph fitly expresses the impatience with which our foremost educators, divines, scientists, and publicists regard continued efforts of politicians, 12 years after the World War, to hobble American thought. There was more than a 50 per cent response to the number of petitions sent out. The "comeback" far exceeded any such test ever made by the National Popular Government League.

The petition totals some 560 names from 43 States. There are 28 university and college presidents; 18 deans and heads of departments; 26 clergymen and teachers of religion; 23 leading librarians; 30 judges, lawyers, and professors of law; 38 editors of magazines and newspapers; over 100 scientists and teachers of science; over 100 professors of liberal arts; some 20 novelists, poets, and authors of national and international distinction; more than 20 men and women who may truly be said to have national reputations.

While the National Popular Government League in its bulletin of May 30, 1929, Shall the Censorship Be Made Absolute? was first to call to the attention of the country the dangers lurking in section 305 as it came from the House committee, it is to be noted that in securing this particular expression of opinion the league acts merely as an agent in an added effort to assist you in your magnificent fight in behalf of the American tradition of freedom of investigation and opinion.

Yours very sincerely,

JUDSON KING, *Director.*

ORIGINATORS AND FIRST SIGNERS

Isaac E. Ash, professor of political science, Ohio University.
Charles A. Beard, professor of political science and author.
Z. Chafee, jr., professor of law school, Harvard University.
John Dewey, professor of philosophy and author, Columbia University.
Judson King, director National Popular Government League, Washington.

Joseph Mayer, executive secretary and treasurer, American Association of University Professors.

Dr. Harold G. Moulton, president the Brookings Institution, Washington.

Roscoe Pound, dean of the law school, Harvard University.
Jackson H. Ralston, attorney and author international law, Palo Alto, Calif.

E. A. Ross, professor of sociology and author, Wisconsin University.
Dr. John A. Ryan, professor of industrial ethics and author, Catholic University of America.

William Allen White, editor and author, Emporia, Kans.
Additional signatures follow. The originals are on file at the league office.

ARIZONA

H. A. Hubbard, head of history department, University of Arizona.
Frank C. Lockwood, dean Liberal Arts College, University of Arizona.

ARKANSAS

S. C. Dellinger, professor of zoology, University of Arkansas.

CALIFORNIA

Rufus L. Green, professor emeritus of mathematics, Stanford University.

George P. Adams, professor of philosophy, University of California.
G. M. Ruch, professor of education, University of California.
Richard C. Tolman, professor of physical chemistry and mathematical physics, California Institute of Technology.

David Starr Jordan, president emeritus, Stanford University.
Elizabeth T. Kent, Kentfield, Calif.

Harriet E. O'Shea, associate professor of psychology and education, Mills College.

Carl Holliday, professor of English, San Jose State College.
Wilfred W. Scott, chairman department of chemistry, University of Southern California.

Hugh S. Lowther, professor of classical languages, Occidental College.

CONNECTICUT

Theodore Babbitt, instructor in Spanish, Yale University.
Edwin Borchard, professor of law, Yale University.
Yandell Henderson, professor of applied physiology, Yale University.
Edgar Sturtevant, professor of linguistics, Yale University.
C. Rees, headmaster Rosemary Hall, Greenwich.
K. M. Williamson, professor of economics, Wesleyan University.
Frederick Slocum, professor of astronomy, Wesleyan University.
George A. Works, president Connecticut Agricultural College.

DELAWARE

Walter Hullihen, president University of Delaware.

DISTRICT OF COLUMBIA

Kendall Banning, editorial director Public Utilities Fortnightly, Washington.
Robert W. Bolwell, professor of American literature, George Washington University.

Burton E. Livingston, permanent secretary American Association for the Advancement of Science.

E. G. Nourse, director institute of economics, Brookings Institution.
Leverett S. Lyon, economics and education, Brookings Institution.
W. F. Willoughby, director institute for government research, Brookings Institution.

Henry P. Seidemann, public administration affairs, Brookings Institution.

Lewis L. Lorwin, labor and international affairs, Brookings Institution.

Lynn R. Edminster, commercial policy, Brookings Institution.
Philip G. Wright, commercial policy, Brookings Institution.

Cleona Lewis, international affairs, Brookings Institution.
C. O. Hardy, finance, Brookings Institution.

Lewis Meriam, public administration, Brookings Institution.
Fred W. Powell, public administration editor, Brookings Institution.

Sumner H. Slichter, labor problems, Brookings Institution.
Ann Dennis Bursch, editorial writer, Washington.

John Collier, executive secretary American Indian Defense Association.

Paul Kaufman, professor of English, American University, Washington.

Joy Elmer Morgan, editor Journal of the National Education Association.

Alice Thacher Post, Washington.
Paul Sperry, clergyman, Washington.

Lowell Mellett, editor Washington Daily News and Scripps-Howard Newspaper Alliance.

Dr. Harvey W. Wiley, former Chief of Bureau of Chemistry, Washington.

Frank Julian Warne, economist and author, Washington.

FLORIDA

Harold H. Bailey, naturalist and naval architect, Miami.
Sarah Fiske Conant, author, Hibernia.

GEORGIA

L. L. Hendren, professor of physics, University of Georgia.
J. M. Reade, professor, University of Georgia.
J. H. Tyron, tutor, University of Georgia.
J. H. Miller, University of Georgia.
W. D. Hooper, University of Georgia.
Mrs. R. J. Richardson, professor college of agriculture, University of Georgia.

H. W. Harvey, extension horticultural landscaping, college of agriculture, University of Georgia.

Charles R. Hart, professor of romance languages, Emory University.
Guy C. Hamilton, Augusta.

C. Secher, E. E. N. & T. specialist.
E. E. Lamkin.

J. L. Stephens, Georgia Coastal Plain Experiment Station.

IDAHO

Dr. Henrietta J. Tromanhauser, associate professor of modern languages, University of Idaho.

ILLINOIS

Ernst Freund, professor of law, University of Chicago.
Harold D. Lasswell, assistant professor of political science, University of Chicago.

Charles E. Merriam, political science, University of Chicago.
M. Llewellyn Raney, director, University of Chicago.

L. L. Thurstone, University of Chicago.
Quincy Wright, professor of political science, University of Chicago.

E. L. Bogart, professor of economy, University of Illinois.
R. D. Carmichael, professor of mathematics, University of Illinois.

John A. Fairlie, professor of political science, University of Illinois.
A. C. Ivy, professor of physiology, Northwestern University.

Ney McMin, assistant professor of English literature, Northwestern University.

A. R. Hatton, professor of political science, Northwestern University.
Robert E. Graves, physician, Chicago.

Edgar Lee Masters, author, Chicago.
Howard Vincent O'Brien, literary editor, Chicago Daily News.

Charles B. Reed, M. D., president Chicago Medical Society.
C. B. Roden, librarian, the Chicago Public Library.

Carl H. Milam, secretary the American Library Association, Chicago.

INDIANA

James A. Woodburn, emeritus professor of history, Indiana University.
B. J. Vos, professor of German, Indiana University.

Gino A. Ratti, professor of French, Butler University.
W. B. Sanders, member of the faculty, Purdue University.

S. Fairman, member of the faculty, Purdue University.
H. A. Gimir, member of the faculty, Purdue University.

C. S. Cutshall, member of the faculty, Purdue University.
A. B. Poorman, professor of applied mechanics, Purdue University.

IOWA

The faculty of Cornell College in regular session voted unanimously in favor of signing the petition. The 38 signatures follow:
 Herbert J. Burgstahler, D. D., president Cornell College.
 William S. Ebersole, Litt. D., registrar, professor of Greek, Cornell College.

Harry M. Kelly, LL. D., biology, Cornell College.
 Henry C. Stancilft, Ph. D., history, Cornell College.
 Nicholas Knight, Ph. D., chemistry, Cornell College.
 Charles R. Keyes, Ph. D., German, Cornell College.
 Sidney L. Chandler, LL. D., sociology, Cornell College.
 Frederick M. McGaw, A. M., mathematics, Cornell College.
 Clyde Tull, A. M., English literature, Cornell College.
 Elmer Moots, Ph. D., mathematics and engineering, Cornell College.
 Louis R. Herrick, Ph. D., romance languages, Cornell College.
 William E. Slaght, Ph. D., psychology and philosophy, Cornell College.
 C. Francis Littell, Ph. D., political science, Cornell College.
 Alice R. Betts, A. M., dean of women, Cornell College.
 Roy A. Nelson, Ph. D., physics, Cornell College.
 Howard C. Lane, A. M., English, Cornell College.
 Fred D. Merritt, Ph. D., economics, Cornell College.
 Oral V. Jackson, Biblical literature, Cornell College.
 Mark E. Hutchinson, Ph. D., Latin, Cornell College.
 James B. Culbertson, Ph. D., chemistry, Cornell College.
 Ruby C. Wade, A. M., French, Cornell College.
 Nama A. Lathe, fine arts, Cornell College.
 Thomas R. McConnell, A. M., education, Cornell College.
 Dorothy D. Rogers, physical education, Cornell College.
 M. Lillian Smedley, English, Cornell College.
 Lella Huebsch, home economics, Cornell College.
 Essie M. Thompson, geology, Cornell College.
 Winifred F. Mayne, A. M., English, Cornell College.
 Theodore W. Matthews, economics, Cornell College.
 Helen Venn, piano, Cornell College.
 Ruth A. Pinkerton, voice culture, Cornell College.
 Stanley M. Teel, music, Cornell College.
 Eusebia Simpson, piano, Cornell College.
 Carrie Woodford, practice teaching, Cornell College.
 Harold Baltz, director conservatory music, Cornell College.
 Eva M. Blue, head resident of women's dormitory, Cornell College.
 Edith Isaacson, college nurse, Cornell College.
 Luella Ninde, home economics, Cornell College.
 J. H. T. Main, president Grinnell College.
 Henry G. Conard, professor of botany, Grinnell College.
 G. W. Martin, professor of botany, University of Iowa.
 T. C. Stephens, professor of biology, University of Iowa.

KANSAS

Frank Doster, former chief justice Kansas Supreme Court, Topeka.
 W. D. Jochems, associate justice, Kansas Supreme Court, Topeka.
 William Easton Hutchinson, associate justice, Kansas Supreme Court, Topeka.
 W. W. Harvey, associate justice, Kansas Supreme Court, Topeka.
 John S. Dawson, associate justice, Kansas Supreme Court, Topeka.
 Harold T. Chase, editor Topeka Daily Capital, Topeka.
 T. A. McNeal, editor Kansas Farmer Mail & Breeze, Topeka.
 Louise McNeal, State librarian, Topeka.
 Clifton M. Gray, minister Unitarian Church, Topeka.
 Cora G. Lewis, journalist, The Graphic, Kinsley.

KENTUCKY

Jesse E. Adams, professor of education, University of Kentucky.
 Forrest Revere Black, professor of constitutional law, University of Kentucky.
 C. C. Ross, professor of education, University of Kentucky.
 W. F. Hamilton, professor of physiology, Medical School, University of Louisville.
 James H. Hewlett, professor of English, Center College, Danville.

LOUISIANA

William H. Gates, professor of zoology and entomology, State University.

MAINE

O. S. Lutes, professor of education, University of Maine.
 Ava A. Chadbourne, associate professor of education, University of Maine.
 N. E. Wheeler, professor of physics, Colby College.
 William J. Wilkinson, head of history department, Colby College.

MARYLAND

W. A. S. Douglas, staff correspondent, Baltimore Sun.
 W. W. Cook, professor institute of law, Johns Hopkins University.
 Knight Dunlap, professor of experimental psychology, Johns Hopkins University.
 Buford Johnson, professor of psychology, Johns Hopkins University.
 Burton E. Livingston, director laboratory plant physiology, Johns Hopkins University, permanent secretary American Association for the Advancement of Science.

L. C. Marshall, professor, institute of law, Johns Hopkins University.
 S. S. Steinberger, professor civil engineering, University of Maryland, president Maryland Chapter American Association of University Professors.

Joseph B. Kingsbury, associate professor of government, St. John's College.

Dr. Theodore M. Hatfield, department of English, St. John's College.
 Dr. Ford K. Brown, department of English, St. John's College.
 Prof. Richard Schofield, department of English, St. John's College.
 Prof. Thomas P. Brockway, department of history, St. John's College.
 Dr. Vertrees J. Wyckoff, department of economics, St. John's College.
 G. W. Stryher, faculty, St. John's College.
 Thomas A. Fitzgerald, faculty, St. John's College.
 George A. Bingley, faculty, St. John's College.
 Leonard E. Arnaud, faculty, St. John's College.
 Paul Allen, Jr., faculty, St. John's College.
 M. T. Riggs, faculty, St. John's College.
 John S. Kieffer, faculty, St. John's College.

MASSACHUSETTS

Charles F. D. Belden, director Boston Public Library; chairman Free Public Library Commission of Massachusetts.

E. M. Laurence Gould, editor The New Church Messenger, Boston.
 Howard W. Doughty, professor of chemistry, Amherst College.
 Comfort A. Adams, professor of engineering, Engineering School, Harvard University.

T. N. Carver, professor of political economy, Harvard University.
 Felix Frankfurter, professor of administrative law, Harvard University.

Arthur N. Holcombe, professor of government, Harvard University.
 Edwin T. Gay, professor of economic history, Harvard University.
 William L. Langer, assistant professor of history, Harvard University.

A. M. Schlesinger, professor of history, Harvard University.
 C. H. Sutherland, associate professor, Massachusetts Institute of Technology.

Cornelia C. Coulter, professor of Latin, Mount Holyoke College.
 Ada L. Comstock, president Radcliffe College.
 William A. Nelson, president Smith College.
 Harry Elmer Barnes, professor of sociology, Smith College.
 Myra M. Sampson, professor of zoology, Smith College.
 Samuel E. Allen, assistant professor of rhetoric, Williams College.
 John P. Corner, professor of political science, Williams College.
 Ames H. Corley, professor of romance languages, Williams College.
 George B. Dutton, professor of English literature, Williams College.
 Richard A. Newhall, professor of European history, Williams College.
 Peter H. Odegard, assistant professor of political science, Williams College.

Alfred D. Sheffield, associate professor of rhetoric, Wellesley College.
 Charles Gott, professor of English, Tufts College.

MICHIGAN

Frank D. Adams, D. D., president Universalist General Convention, Detroit.

Adam Strohm, librarian, the Public Library, Detroit.
 John W. Bradshaw, professor of mathematics, University of Michigan.
 Carl J. Coe, assistant professor of mathematics, University of Michigan.

John R. Effinger, dean College of L. S. and A., University of Michigan.
 L. C. Karpinski, professor of mathematics, University of Michigan.
 Preston W. Slosson, associate professor of history, University of Michigan.

Samuel Moore, professor of English, University of Michigan.
 Charles P. Wagner, professor of romance languages, University of Michigan.

René Talamon, associate professor of romance languages, University of Michigan.

Jesse S. Reeves, professor of political science, University of Michigan.
 W. B. Pillsbury, professor of psychology, University of Michigan.
 Clarence T. Johnston, professor of geodesy and surveying, University of Michigan.

R. W. Sellers, professor of philosophy, University of Michigan.
 W. G. Smeaton, professor of chemistry, University of Michigan.
 Marcus L. Ward, professor of metallurgy and dean of the faculty of dentistry, University of Michigan.

George E. Myers, professor of vocational education, University of Michigan.

M. Gombert, professor of chemistry, University of Michigan.
 Warren E. Blake, assistant professor of Greek, University of Michigan.

E. S. McCartney, editor of scholarly publications, University of Michigan.

Benjamin D. Meritt, professor of Greek and Latin, University of Michigan.

Morris P. Tilley, professor of English, University of Michigan.
 Joseph H. Drake, professor of law, University of Michigan.

A. E. B. Boak, professor of history, University of Michigan.
 Ralph W. Algier, professor of law, University of Michigan.

Edgar N. Durfee, professor of law, University of Michigan.
 Evans Holbrook, professor of law, University of Michigan.
 Paul A. Leidy, professor of law, University of Michigan.
 Frank E. Robbins, assistant to the president, University of Michigan.
 William W. Bishop, librarian, University of Michigan.
 Robert C. Angell, assistant professor of sociology, University of Michigan.

Carter Goodrich, professor of economics, University of Michigan.
 L. J. Carr, assistant professor of sociology, University of Michigan.
 D. M. Matthews, professor of forest management, University of Michigan.

Robert Craig, jr., associate professor of forest management, University of Michigan.

Samuel T. Dana, dean School of Forestry and Conservation, University of Michigan.

Edward H. Kraus, professor of mineralogy, University of Michigan.
 John F. Shepard, professor of psychology, University of Michigan.
 Walter F. Hunt, professor of petrology, University of Michigan.
 Albert B. Peck, professor of mineralogy, University of Michigan.
 C. H. Kaufman, professor of botany, University of Michigan.

Anthony J. Tobin, assistant professor of romance languages, University of Michigan.

Harold J. McFarlan, assistant professor of geodesy and surveying, University of Michigan.

Michael Pargment, assistant professor of romance languages, University of Michigan.

Eugene E. Rovillain, assistant professor of French, University of Michigan.

James Hilchner, professor of German, University of Michigan.

O. O. Norris, professor of education, Michigan State Normal College.
 Margaret B. Bennett, Michigan State Normal College.

Agnes Crow, department of mathematics, Michigan State Normal College.

Mildred Crawford, department of mathematics, Michigan State Normal College.

Estelle Downing, English department, Michigan State Normal College.
 Refa Dick, social science department, Michigan State Normal College.

Susan E. Ervine, teacher of French, Michigan State Normal College.
 L. E. Fedderstrom, department of history, Michigan State Normal College.

J. B. Fuller, principal training department, Michigan State Normal College.

L. A. Golszynski, instructor in science, Michigan State Normal College.

A. N. Jorgensen, department of education, Michigan State Normal College.

Henry C. Lott, department of education, Michigan State Normal College.

Leonard W. Mylberg, department of science, Michigan State Normal College.

A. A. Metcalf, director secondary education, Michigan State Normal College.

H. Willard Remington, assistant professor of English, Michigan State Normal College.

Florence U. Regal, teacher of Latin, Michigan State Normal College.

G. D. Sanders, head of English department, Michigan State Normal College.

Susan W. Stinson, teacher of English, Michigan State Normal College.
 A. D. Walker, physical education, Michigan State Normal College.

W. M. Lane, principal of high school, Ypsilanti.
 Floyd L. Smith, principal Woodruff School, Ypsilanti.

Foster Fletcher, merchant, Ypsilanti.
 Tobias Sigel, M. D., Detroit.

Ella Sigel, Detroit.
 Edna S. Kratz, Detroit.

MINNESOTA

G. A. Countyman, chief librarian, Minneapolis Public Library.

Irving E. Richard, assistant managing editor, St. Paul Daily News.
 Donner E. Cowling, president Carleton College.

Alfred E. Hughes, president Hamline University.
 S. N. Delson, professor of romance languages, Hamline University.

Charles P. Ritchey, head department of history, Macalester College.
 Fred K. Butters, associate professor of botany, University of Minnesota.

Morris B. Lambie, professor of political science, University of Minnesota.

Colbert Searles, professor of romance languages, University of Minnesota.

MISSOURI

Arthur E. Bostwick, librarian, St. Louis Public Library.
 Henry J. Haskell, editor the Kansas City Star.

Arnold J. Lien, professor of political science, Washington University.
 Isidor Loeb, dean School of Business Administration, Washington University.

Tyrell Williams, professor of law, Washington University.

NEBRASKA

Louise Pound, professor of English, University of Nebraska.

NEVADA

J. Jones, professor of geology, University of Nevada.

NEW HAMPSHIRE

Ernest M. Hopkins, president Dartmouth College.

John M. Mechlin, professor, Dartmouth College.

Herbert F. Rudd, professor of philosophy, University of New Hampshire.

Percy MacKaye, author, Cornish.

NEW JERSEY

Edwin G. Conklin, professor of biology, Princeton University.

James Gerould, librarian, Princeton University.

Robert K. Root, professor of English, Princeton University.

P. A. Vander Meulen, professor of physical chemistry, Rutgers University.

Beatrice Winsor, librarian, Public Library, Newark.

NEW MEXICO

Mary Austin, author, Santa Fe.

Witter Bynner, poet, Santa Fe.

J. F. Zimmerman, president University of New Mexico.

NEW YORK

Samuel Hopkins Adams, author.

Bertha Kunz Baker, lecturer in literature.

Rex Beach, author.

Zeh Bouch, editor Aero News.

John B. Brennan, jr., Radio News editor.

Burton Braley, author.

Heywood Brown, columnist, Evening Telegram.

Henry S. Canby, editor Review of Literature.

Walter G. Langsam, department of history, Columbia University.

C. W. Cole, department of history, Columbia University.

Martin Taylor Bogert, professor, Columbia University.

Howard Lee McBain, dean of graduate faculties, Columbia University.

John Erskine, professor of English, novelist, Columbia University.

Willard Austin, librarian emeritus, Cornell University.

G. Watts Cunningham, professor of philosophy, Cornell University.

Robert E. Cushman, professor of government, Cornell University.

H. J. Davenport, professor emeritus in economics, Cornell University.

Paul T. Homan, professor of economics, Cornell University.

W. A. Hurwitz, professor of mathematics, Cornell University.

W. J. Myers, professor of farm management, Cornell University.

F. K. Richtmyer, professor of physics, Cornell University.

Nathaniel Schmidt, professor of Semitic languages and oriental history, Cornell University.

Sumner H. Slichter, professor of economics, Cornell University.

Alfred Dashiell, managing editor Scribners Magazine, secretary P. E. N. Club, New York, Cornell University.

Frank P. Day, president Union College.

H. W. Dodds, editor National Municipal Review.

Herman L. Fairchild, emeritus professor of geology, University of Rochester.

Floyd C. Fairbanks, assistant professor of physics, University of Rochester.

J. Edward Hoffmeister, professor of geology, University of Rochester.

L. Foster Wood, professor social ethics, Rochester Divinity School.

Howard S. Gans, attorney.

H. Frederick Gardner, editor Screen Book Magazine.

Murray Godwin, managing editor Science and Invention.

Frank Ernest Hill, editor Longmans, Green & Co.

Rev. John Haynes Holmes, The Community Church, New York City.

Theodore F. Jones, director general library of New York University.

H. A. Keller, editor and writer.

Carol Weiss King, attorney.

Evelyn Light, assistant editor Plain Talk.

B. A. Mackinnon, president Mackinnon-Fly Publications.

H. T. Fly, vice president Mackinnon-Fly Publications.

Arthur H. Lynch, editorial director Mackinnon-Fly Publications.

Julian S. Mason, editor The New York Evening Post.

Carl H. Milam, secretary American Library Association.

Bishop Francis J. McConnell, Methodist Federation for Social Service.

Edna Mosher, professor of biology, Adelphi College.

V. E. Pound, professor of mathematics, University of Buffalo.

Burton Rascoe, associate editor Plain Talk, member board of directors Literary Guild of America.

William Gorham Rice, writer, Albany.

Palmer C. Ricketts, president Rensselaer Polytechnic Institute, Troy.

Lloyd A. Rider, Ph. D., acting chairman biology department of Manual Training High School, Brooklyn.

James Harvey Robinson, historical writer.

Walter R. Sharp, fellowship secretary, Social Science Research Council.

Sigmund Spaeth, author-lecturer.

Trustees of Syracuse Library, by Paul M. Paine, librarian, Syracuse.
K. C. Leebuch, dean, liberal arts, Syracuse University.
William L. Bray, dean of the Graduate School, Syracuse University.
Ernest Reed, professor of botany, Syracuse University.
Burgess Johnson, director public relations, Syracuse University.
Horace A. Eaton, head of department of English, Syracuse University.
H. W. Herrington, professor of English, Syracuse University.
James R. Foster, associate professor of English, Syracuse University.
William Yerrington, professor of English, Syracuse University.
Harold L. Cleasby, professor of class archaeology and Italian, Syracuse University.

A. S. Patterson, professor of romance languages, Syracuse University.
E. F. King, instructor in Spanish, Syracuse University.
Earle D. Alkin, instructor in romance languages, Syracuse University.
Clyde E. Wildman, professor of Bible, Syracuse University.
Ordway Tead, editor Business Books, Harper & Bros., New York City.
George Kibbe Turner, author.
Frank P. Walsh, attorney.
Harry F. Ward, secretary Methodist Federation for Social Service.
J. I. Wyer, director New York State Library, Albany.

NORTH CAROLINA

A. R. Vowles, professor, Davidson College.
Paulet Baum, professor of English, Duke University.
Elbert Russell, dean, School of Religion, Duke University.
Paul Neff Garber, registrar, School of Religion, Duke University.
Newman I. White, professor of English, Duke University.
R. B. House, executive secretary University of North Carolina.
Donald Coney, assistant librarian, University of North Carolina.
Norman Foerster, professor of English and author, University of North Carolina.

Benjamin B. Kendrick, professor of history, North Carolina College.

NORTH DAKOTA

J. D. Leith, professor of mathematics, University of North Dakota.
Charles MacLachlen, superintendent of State Tuberculosis Sanitarium.
North Dakota State College * * * "sends the following signatures to the petition":

W. C. Hunter, professor of history, member of library committee.
Kenneth Kuhn, professor of English.
Leon Metzinger, department of modern languages, library committee.
A. F. Hunsaker, political science.
E. W. Pettie, economics.
Paul E. Zerby.
Homer B. Huntoon, department of architecture.
B. M. Doherty, mechanical engineering, member of library committee.
Harry S. Rush, electrical engineering.
R. H. Slocum, civil engineering.
W. A. Cleveland, department of agriculture economics.
Benjamin V. McCaul, department of agriculture economics.
Delaphine G. Rosa, bacteriology.
Glen A. Lindsey, department of bacteriology.
Albert Severson, department of animal husbandry.
Monroe Kirk, farm department.
A. F. Yeager, horticulture department.
P. F. Trowbridge, experiment station, director and chairman library committee.

E. A. Willson, rural sociology, experiment station.
Arthur D. Whedon, professor of zoology and physiology.
John E. Doerr, jr., head department of geology and geography.
George E. Miller, professor of biology.
J. W. Smith, professor of mathematics.
F. C. Householder, associate professor of mathematics.
A. Glenn Hill, mathematics instructor.
E. J. Braun, mathematics instructor.
N. W. Clarke.
Ruby Grimes, associate professor agricultural botany.
Henry L. Bailey, botanist North Dakota Experiment Station.
Walter Lee Aerheart, professor of religious education.
Casper I. Nelson, professor of bacteriology.
Gilford J. Ikenberry, associate professor of botany.
A. D. Stoesz, instructor in botany.
Dorothy Lois Hatch, instructor in art.
Rudolph Otterson, assistant professor in history.
A. E. Miner, dean of the school of science and literature.
C. A. Severinson, professor of history.
D. J. Griswold, animal husbandry.

OHIO

Alfred Bettman, attorney, former special assistant United States Attorney General, Cincinnati.
Charles R. Hadley, librarian Public Library, Cincinnati.
Charles E. Ozanne, instructor in civics, Central High School, Cleveland.
Carl Vitz, librarian Public Library, Toledo.
Albert H. Freiberg, professor of orthopaedic surgery, University of Cincinnati.

Julian Morgenstern, president Hebrew Union College, Cincinnati.
Arthur G. Beach, professor of English, Marietta College.
Ernst H. Wilkins, president Oberlin College.
Carl F. Geiser, professor of political science, Oberlin College.
Edward A. Miller, professor of education, Oberlin College.
Clarence Ward, professor of fine arts, Oberlin College.
Henry John Doermann, president University of Toledo.
Frederick Slocum, professor of astronomy, Wesleyan University.
Hippolyte Gruener, professor of chemistry, Western Reserve University.
B. H. Bode, professor of education, Ohio State University.
H. G. Hayes, professor of economics, Ohio State University.
Maurice Freeman, department of economics, Ohio State University.
W. P. Shepard, dean college of arts and sciences, Ohio State University.

L. Edwin Smart, department of economics, Ohio State University.
J. H. J. Upham, M. D., dean of the college of medicine, Ohio State University.

Edmund Vance Cooke, poet, Cleveland.
Edward T. Downer, registrar Cleveland College, Cleveland.
W. H. Tuckerman, M. D., Cleveland.
Ernest S. Bohn, member of city council, Cleveland.
J. G. Lipkin, citizen, Cleveland.
J. P. Taplin, artist, Cleveland.
F. H. Sternbenz, editorial, Cleveland Press, Cleveland.
Don P. Mills, attorney, Cleveland.
C. S. Crudelle, attorney, Cleveland.
E. S. Byers, attorney, Cleveland.
M. C. Harrison, attorney, Cleveland.
H. P. Boynton, advertising manager, Cleveland.
J. J. Lynch, Cleveland Press, Cleveland.
W. B. Slusser, citizen, Cleveland.
A. W. Zesiger, citizen, Cleveland.
A. L. Munson, member Metropolitan Park Board, Cleveland.
Saul S. Donaldson, attorney, Cleveland.
David Deitz, scientist, Cleveland.
T. E. Spooner, citizen, Cleveland.
Bradley Hull, judge, Cleveland.
John W. Raper, editorial writer, the Cleveland Press, Cleveland.
Howard F. Burns, attorney, Cleveland.
W. H. Beims, citizen.

OKLAHOMA

W. B. Bizzell, president University of Oklahoma.
Elmer Pendell, professor of economics, Agricultural and Mechanical College.

OREGON

Arnold B. Hall, president University of Oregon.
B. F. Irvine, editor the Oregon Journal, Portland.
F. L. Griffin, professor of mathematics, Reed College.
R. K. Strong, professor of chemistry, Reed College.

PENNSYLVANIA

Mrs. Perley Dunn Aldrich, singing master, composer, and teacher, Philadelphia.
E. W. Hunt, president Bucknell University.
Francis Fisher Kane, attorney, Philadelphia.
Ralph Munn, director, Carnegie Library, Pittsburgh.
Robert M. Smith, professor of English, Lehigh University.
Frank Aydelotte, president Swarthmore College.
H. Jernam Creighton, professor of chemistry, Swarthmore College.
J. P. W. Crawford, professor of romance languages, University of Pennsylvania.
H. Lamar Crosby, professor of Greek, University of Pennsylvania.
L. V. Heilbrunn, associate of zoology, University of Pennsylvania.
Dr. Carl Kelsey, professor of sociology and chairman of department of sociology, University of Pennsylvania.
Dr. Ernest Minor Patterson, professor of economics and chairman of department of economics, University of Pennsylvania.
Clyde L. King, professor of political science, University of Pennsylvania.
Karl Scholz, Wharton School of Finance and Commerce, University of Pennsylvania.
Dr. Charles H. LaWall, dean, Philadelphia College of Pharmacy and Science.
Wilmer Krusen, M. D., president Philadelphia College of Pharmacy and Science.
R. D. Anthony, professor of pomology, Pennsylvania State College.
Carroll D. Champlin, professor of education and psychology, Pennsylvania State College.
Robert E. Dengler, professor of Greek, Pennsylvania State College.
W. F. Dunaway, librarian, Pennsylvania State College.
Frederick W. Pierce, professor of German, Pennsylvania State College.
David Wallerstein, attorney, Philadelphia.
Charles E. Beury, president Temple University, Philadelphia.
F. T. Tyson, assistant professor of chemistry, Temple University, Philadelphia.
J. Lloyd Bohn, instructor in physics, Temple University, Philadelphia.

William T. Caldwell, professor of chemistry, Temple University, Philadelphia.

Claude S. McGinnis, professor of physics, Temple University, Philadelphia.

Clarence Hodges, assistant professor of physics, Temple University, Philadelphia.

John S. Kramer, instructor in history, Temple University, Philadelphia.

W. G. Dunning, instructor in chemistry, Temple University, Philadelphia.

C. P. Graves, instructor in history, Temple University, Philadelphia.

Andreas Elviken, instructor in history, Temple University, Philadelphia.

George Neel, instructor in history, Temple University, Philadelphia.

Thomas D. McCormick, instructor in history, Temple University, Philadelphia.

Arthur N. Cook, professor of history, Temple University, Philadelphia.

John D. Kern, professor of English, Temple University, Philadelphia.

Thaddeus Le Bolton, professor of psychology, Temple University, Philadelphia.

Frank Paddock, assistant professor, Temple University, Philadelphia.

Stuart Robertson, professor of English, Temple University, Philadelphia.

Marion Mackenzie, professor of biology, Temple University, Philadelphia.

W. James Leach, instructor in biology, Temple University, Philadelphia.

W. M. Crittenden, instructor in English, Temple University, Philadelphia.

Ernest Ernest, instructor in English, Temple University, Philadelphia.

T. E. DuVal, Temple University, Philadelphia.

Andre F. Benthier, instructor in psychology, Temple University, Philadelphia.

G. E. Simpson, instructor in sociology, Temple University, Philadelphia.

N. K. Teiter, instructor in sociology, Temple University, Philadelphia.

Charles A. Ford, instructor in psychology, Temple University, Philadelphia.

Clarence Schettler, sociology instructor, Temple University, Philadelphia.

Nicholas P. Vlacher, Greek and Latin, Temple University, Philadelphia.

R. E. Gleason, assistant professor of mathematics, Temple University, Philadelphia.

W. Lawton, assistant in mathematics, Temple University, Philadelphia.

Quincy A. Kuebner, professor of education, Temple University, Philadelphia.

Anna Lowe Lingelbach, professor of history, Temple University, Philadelphia.

Harriet L. P. Frind, director education, Temple University, Philadelphia.

Laura Anderson, instructor H. E. C., Temple University, Philadelphia.

Marjorie E. Bacheller, director of dining hall, Temple University, Philadelphia.

W. Brooke Graves, professor of political science, Temple University, Philadelphia.

William Roger, jr., assistant professor of chemistry, Temple University, Philadelphia.

James H. Dunham, professor of philosophy, Temple University, Philadelphia.

John C. Pfaam, instructor in history, Temple University, Philadelphia.

William C. Steere, instructor in biology, Temple University, Philadelphia.

Ross C. McCooke, instructor in physics, Temple University, Philadelphia.

Hayns Finema, professor of English, Temple University, Philadelphia.

F. H. Nadig, instructor in physics, Temple University, Philadelphia.

Henri C. Niel, French, Temple University, Philadelphia.

George E. Walk, dean of teachers college, Temple University, Philadelphia.

Sabra W. Vought, librarian, the Pennsylvania State College.

RHODE ISLAND

Howard Edwards, president Rhode Island State College.

Alfred A. Bennett, professor of mathematics, Brown University.

SOUTH DAKOTA

Arthur L. Keith, professor of Greek, University of South Dakota.

TENNESSEE

R. G. Brown, lawyer, Memphis.

David W. Cornelius, professor of physics, University of Chattanooga.

W. B. Hesseltine, professor of history, University of Chattanooga.

Frank W. Prescott, professor of politics, University of Chattanooga.

Thomas E. Jones, president Fiske University.

George F. Milton, editor the Chattanooga News.

TEXAS

A. P. Brogar, professor of philosophy, University of Texas.

Frank M. Stewart, professor of government, University of Texas.

Oscar A. Ullrich, dean of the faculty, Southwestern University.

UTAH

M. M. Critchlow, M. D., Salt Lake City.

VERMONT

Ann Bosworth Greene, author and artist, South Woodstock.

Paul S. Moody, president Middlebury College.

VIRGINIA

William Harrison Faulkner, professor of romance languages, University of Virginia.

WASHINGTON

H. S. Brode, professor of biology, Whitman College.

E. O. Holland, president State College of Washington.

Fred R. Yoder, head department of sociology, State College of Washington.

J. T. Jennings, librarian, Seattle Public Library.

Vachel Lindsay, poet, Spokane.

R. D. McKenzie, professor of sociology, University of Washington.

WEST VIRGINIA

Rolla V. Cooke, professor of physics, Bethany College.

WISCONSIN

Dr. Glenn Frank, president University of Wisconsin.

Joseph P. Harris, professor of political science, University of Wisconsin.

J. H. Mathews, chairman department of chemistry, University of Wisconsin.

Joel Stebbins, director, Washburn Observatory, University of Wisconsin.

Irving Maurer, president Beloit College.

M. S. Dudgeon, librarian, Milwaukee Public Library; member executive board, American Library Association.

William T. Evjue, editor, the Capital Times, Madison.

Ruben Levin, writer, Wisconsin News, Milwaukee.

WYOMING

Clara F. McIntyre, professor of English, University of Wyoming.

Laura A. White, professor of history, University of Wyoming.

CALL OF THE ROLL

Mr. VANDENBERG. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll. The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Frazier	Keyes	Shortridge
Ashurst	George	La Follette	Simmons
Baird	Glass	McCulloch	Smith
Barkley	Glenn	McKellar	Smoot
Bingham	Goff	McMaster	Steck
Black	Goldsborough	McNary	Steiwer
Blaine	Gould	Metcalf	Stephens
Blease	Greene	Moses	Swanson
Borah	Grundy	Norbeck	Thomas, Idaho
Bratton	Hale	Norris	Thomas, Okla.
Brook	Harris	Nye	Trammell
Broussard	Harrison	Oddie	Tydings
Capper	Hastings	Overman	Vandenberg
Caraway	Hatfield	Patterson	Wagner
Connally	Hawes	Phipps	Walcott
Copeland	Hayden	Pine	Walsh, Mass.
Couzens	Hebert	Pittman	Walsh, Mont.
Cutting	Heflin	Ransdell	Waterman
Dale	Howell	Robinson, Ind.	Watson
Dill	Johnson	Robison, Ky.	Wheeler
Fess	Jones	Schall	
Fletcher	Kean	Sheppard	

Mr. SHEPPARD. The junior Senator from Utah [Mr. KING] is necessarily detained from the Senate by illness. I will let this announcement stand for the day.

I also desire to announce the necessary absence of the Senator from Arkansas [Mr. ROBINSON] and the Senator from Pennsylvania [Mr. REED], who are delegates from the United States to the London Naval Conference.

Mr. SCHALL. My colleague [Mr. SHIPSTEAD] is unavoidably absent. I ask that this announcement may stand for the day.

The PRESIDENT pro tempore. Eighty-six Senators having answered to their names, a quorum is present.

JUDGMENTS, UNITED STATES DISTRICT COURTS (S. DOC. NO. 100)

The PRESIDENT pro tempore laid before the Senate a communication from the President of the United States, transmitting, pursuant to law, records of judgments rendered against the Government by United States district courts amounting to \$370,324.12, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

CLAIM FOR DAMAGE BY COLLISION WITH LIGHTHOUSE VESSEL
(S. DOC. NO. 101)

The PRESIDENT pro tempore laid before the Senate a communication from the President of the United States, transmitting an estimate of appropriation, submitted by the Secretary of Commerce, to pay a claim for damage occasioned by collision with a vessel of the Lighthouse Service in the sum of \$75, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

CLAIMS FOR DAMAGES TO PRIVATELY OWNED PROPERTY (S. DOC. NO. 102)

The PRESIDENT pro tempore laid before the Senate a communication from the President of the United States, transmitting estimates of appropriations, submitted by the several executive departments, to pay claims for damages to privately owned property in the sum of \$10,806.18, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

JUDGMENTS RENDERED BY THE COURT OF CLAIMS (S. DOC. NO. 103)

The PRESIDENT pro tempore laid before the Senate a communication from the President of the United States, transmitting, pursuant to law, a list of judgments rendered by the Court of Claims, amounting to \$360,078.42, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

CLAIMS ALLOWED BY GENERAL ACCOUNTING OFFICE (S. DOC. NO. 104)

The PRESIDENT pro tempore laid before the Senate a communication from the President of the United States, transmitting, in compliance with law, schedules of claims amounting to \$97,312.38, allowed by various divisions of the General Accounting Office, as covered by certificates of settlement, etc., which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

WATERWAYS TREATY—INTERNATIONAL JOINT COMMISSION
(S. DOC. NO. 105)

The PRESIDENT pro tempore laid before the Senate a communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of State, fiscal year 1930, amounting to \$6,600, for the waterways treaty and the International Joint Commission, United States and Great Britain, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

CEDAR BAYOU PROJECT, TEX. (S. DOC. NO. 107)

Mr. JOHNSON presented a communication from the Chief of Engineers of the Army, transmitting a review of the report on Cedar Bayou, Tex., submitted to Congress December 8, 1923, pursuant to the river and harbor act approved September 22, 1922, with a view to determining whether any modification in existing project is advisable at the present time, which was referred to the Committee on Commerce and ordered to be printed with illustrations.

MURDERKILL RIVER PROJECT, DEL. (S. DOC. NO. 106)

Mr. JOHNSON presented a communication from the Chief of Engineers of the Army, transmitting a review of the report on Murderkill River, Del., submitted in House Executive Document No. 21, Fifty-second Congress, first session, with a view to determining whether any modification is advisable in existing project at the present time, etc., which was referred to the Committee on Commerce and ordered to be printed.

PETITIONS

Mr. CAPPER presented a petition of sundry citizens of Topeka, Kans., praying for the passage of legislation granting increased pensions to veterans of the war with Spain, which was ordered to lie on the table.

Mr. SHORTRIDGE presented a petition of sundry citizens of San Pedro and San Bernardino, Calif., praying for the passage of legislation granting increased pensions to Civil War veterans and their widows, which was ordered to lie on the table.

He also presented petitions numerously signed by sundry citizens of the State of California, praying for the passage of legislation granting increased pensions to veterans of the Spanish War, which were ordered to lie on the table.

Mr. WALSH of Massachusetts presented petitions of sundry citizens of the State of Massachusetts, praying for the passage of legislation granting increased pensions to Spanish War veterans, which were ordered to lie on the table.

Mr. HEBERT presented the following resolution of the General Assembly of the State of Rhode Island, which was referred to the Committee on Military Affairs:

STATE OF RHODE ISLAND,
IN GENERAL ASSEMBLY,
January session, A. D. 1930.

Resolution of the general assembly recommending to Congress the passage of Senate Joint Resolution 20, being a resolution to promote peace and to equalize the burdens and to minimize the profits of war

Whereas there is pending before the Congress of the United States, Senate Joint Resolution 20, being a joint resolution to promote peace and to equalize the burdens and to minimize the profits of war; and

Whereas this resolution authorized the creation of a commission of 18 members to consider the question of the practicability of the compulsory drafting of capital in case of war: Therefore be it

Resolved, That the general assembly respectfully requests the Senators and Representatives of Rhode Island in the Congress of the United States to give their earnest support to said Senate Joint Resolution 20, and to use their efforts to secure the early passage of this legislation by the Senate and House of Representatives of the United States; and be it further

Resolved, That copies of this resolution be transmitted by the secretary of state to the Senators and Representatives of Rhode Island in the Congress of the United States.

REPORTS OF COMMITTEES

Mr. JOHNSON, from the Committee on Commerce, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 3538) to authorize the Secretary of Commerce to convey to the city of Port Angeles, Wash., a portion of the Ediz Hook Lighthouse Reservation, Wash. (Rept. No. 250);

A bill (S. 3574) granting the consent and authority of Congress to the States of Texas and Oklahoma, and the counties of Cooke and Love, respectively, in said States, to construct, maintain, and operate a free highway bridge between said States across Red River; and providing for the condemnation and acquiring of property to be used in connection therewith, and to enter into an agreement to construct, maintain, and operate the same (Rept. No. 251);

A bill (S. 3575) granting the consent and authority of Congress to the States of Texas and Oklahoma, and the counties of Grayson and Bryan, respectively, in said States, to construct, maintain, and operate a free highway bridge between said States across Red River; and providing for the condemnation and acquiring of property to be used in connection therewith, and to enter into an agreement to construct, maintain, and operate the same (Rept. No. 252);

A bill (S. 3576) granting the consent and authority of Congress to the States of Texas and Oklahoma, and the counties of Montague and Jefferson, respectively, in said States, to construct, maintain, and operate a free highway bridge between said States across Red River; and providing for the condemnation and acquiring of property to be used in connection therewith, and to enter into an agreement to construct, maintain, and operate the same (Rept. No. 253); and

A bill (H. R. 5693) providing for retired pay for certain members of the former Life Saving Service, equivalent to retired pay granted to members of the Coast Guard (Rept. No. 254).

Mr. HOWELL, from the Committee on Claims, to which was referred the bill (S. 2466) to carry into effect the findings of the Court of Claims in the case of William W. Danenhower, reported it with amendments and submitted a report (No. 255) thereon.

Mr. BLACK, from the Committee on Claims, to which was referred the bill (S. 888) for the relief of Francis J. McDonald, reported it with an amendment and submitted a report (No. 256) thereon.

Mr. ROBINSON of Indiana, from the Committee on Pensions, to which was referred the bill (H. R. 9323) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, etc., and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, reported it with amendments and submitted a report (No. 257) thereon.

REPORT OF NAVAL AND MARINE CORPS NOMINATIONS

Mr. HALE, as in open executive session, from the Committee on Naval Affairs, reported the nominations of sundry officers in the Navy and Marine Corps, which were placed on the Executive Calendar.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSON:

A bill (S. 3828) granting an increase of pension to Julius A. Fuhrman; to the Committee on Pensions.

By Mr. METCALF:

A bill (S. 3829) granting an increase of pension to Ruth R. Nash (with accompanying papers); to the Committee on Pensions.

By Mr. THOMAS of Oklahoma:

A bill (S. 3830) authorizing an appropriation to enable the Secretary of Agriculture to cooperate with the experiment station of the Panhandle Agricultural and Mechanical College located at Goodwell, Okla.; to the Committee on Agriculture and Forestry.

By Mr. HOWELL:

A bill (S. 3831) for the relief of Georgia A. Muirhead; to the Committee on Claims.

By Mr. SHORTRIDGE:

A bill (S. 3832) granting a pension to Henry A. Pennington; to the Committee on Pensions.

By Mr. ROBINSON of Indiana:

A bill (S. 3833) granting an increase of pension to William Haywood Revelle; to the Committee on Pensions.

By Mr. HARRISON:

A bill (S. 3834) for the relief of the heirs or legal representatives of Charls Johnston and Kate Johnston; to the Committee on Claims.

By Mr. WALSH of Massachusetts:

A bill (S. 3835) granting compensation to the parents of James H. Rodenbush; to the Committee on Finance.

WITHDRAWAL OF PAPERS—JOHN P. T. DAVIS

On motion of Mr. CAPPER it was

Ordered, That the papers filed with the bill (S. 4836) for the relief of John P. T. Davis, Seventieth Congress, second session, be withdrawn from the files of the Senate, no adverse report having been made thereon.

AMENDMENT TO THE TARIFF BILL

Mr. COPELAND submitted an amendment intended to be proposed by him to House bill 2667, the tariff revision bill, which was ordered to lie on the table and to be printed, as follows:

Paragraph 1515, on page 210, line 23, strike out line 23 and insert in lieu thereof the following:

"PAR. 1515. Firecrackers of more than five-sixteenths inch outside diameter or more than 1 1/4 inches in length, 25 cents per pound; all other firecrackers, 8 cents per."

MESSAGE FROM THE HOUSE—ENROLLED BILL AND JOINT RESOLUTION SIGNED

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the Speaker had affixed his signature to the following enrolled bill and joint resolution, and they were signed by the President pro tempore:

S. 2093. An act for the relief of the State of Alabama for damage to and destruction of roads and bridges by floods in 1929; and

H. J. Res. 210. Joint resolution to authorize an appropriation for the expenses of official delegates to the Fourth World's Poultry Congress, to be held in England in 1930.

ENROLLED BILL SIGNED

Mr. GREENE, from the Committee on Enrolled Bills, reported that on to-day, March 7, 1930, that committee presented to the President of the United States the enrolled bill (S. 2093) for the relief of the State of Alabama for damage to and destruction of roads and bridges by floods in 1929.

EXECUTIVE MESSAGES

Messages in writing were communicated to the Senate from the President of the United States by Mr. Latta, one of his secretaries.

COMMITTEE TO ATTEND FUNERAL OF THE LATE REPRESENTATIVE GLYNN

The VICE PRESIDENT. Pursuant to Senate Resolution 226, as the committee on the part of the Senate to join the committee on the part of the House of Representatives to attend the funeral of the late Representative JAMES P. GLYNN, of Connecticut, the Chair appoints the senior Senator from Connecticut [Mr. BINGHAM], the junior Senator from Connecticut [Mr. WALCOTT], the Senator from Arizona [Mr. ASHURST], the Senator from Virginia [Mr. GLASS], the Senator from Vermont [Mr. DALE], and the Senator from Missouri [Mr. HAWES].

REVISION OF THE TARIFF

The Senate resumed the consideration of the bill (H. R. 2667) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes.

The PRESIDING OFFICER (Mr. Fess in the chair). The clerk will state the next reserved amendment.

The LEGISLATIVE CLERK. On page 32, paragraph 83, line 24, the Senate, as in Committee of the Whole, struck out the words "three-eighths" and inserted "one-half," so as to read:

Sodium sulphide, one-half of 1 cent per pound.

Mr. BARKLEY. Mr. President, the reservation of that amendment was made by the Senator from Utah [Mr. KING]. I have heard no word from him, and I do not know just what the reason for the reservation was. So far as I am concerned I have not anything to say about it, and the amendment may be concurred in.

The PRESIDING OFFICER. Without objection, the amendment is concurred in.

The next reserved amendment was in paragraph 82, page 33, line 1, "sodium sulphite."

Mr. BARKLEY. The statement I made as to the preceding amendment applies also to that.

The PRESIDING OFFICER. Without objection, the amendment is concurred in. The clerk will report the next reserved amendment.

The LEGISLATIVE CLERK. On page 37, line 6, Portland cement.

Mr. KEAN. Mr. President, I offer the following amendment.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 37, line 7, subsection (b), it is proposed to perfect the provision stricken out as in Committee of the Whole by striking out "8" and inserting "6," so as to read:

Roman, Portland, and other hydraulic cement or cement clinker, 6 cents per hundred pounds, including the weight of the container.

Mr. CAPPER. Mr. President, we have just passed paragraph 84, which covers starch, in which I am interested. I rise to inquire when it will be in order to move an amendment to that paragraph?

Mr. SMOOT. It will be in order just as soon as the Senate acts upon the amendment which has been reserved.

Mr. CAPPER. I give notice that I shall then move an amendment to paragraph 84 with reference to starch.

Mr. KEAN obtained the floor.

Mr. SMOOT. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Utah?

Mr. KEAN. I yield.

Mr. SMOOT. I ask unanimous consent that the debate on the cement amendment be limited not to exceed 15 minutes for each Senator.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. NORRIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Nebraska?

Mr. NORRIS. I do not ask the Senator to yield. I want to submit a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Nebraska will state his parliamentary inquiry.

Mr. NORRIS. I want to ask the Chair if the question now pending before the Senate is not, Shall the Senate concur in the amendment adopted as in Committee of the Whole?

The PRESIDING OFFICER. That is the question.

Mr. NORRIS. If that is the question, is it in order to offer the amendment which is now offered by the Senator from New Jersey?

The PRESIDING OFFICER. It is if it is an amendment to the amendment agreed to as in Committee of the Whole.

Mr. NORRIS. We are not voting on amendments; we are going to vote as to whether we shall approve the action of the Senate taken as in Committee of the Whole. The Committee of the Whole adopted an amendment. Now, the question is, Shall the Senate approve the action of the Senate as in Committee of the Whole?

The PRESIDING OFFICER. That is correct, the Chair will say to the Senator from Nebraska, but if the amendment of the Senator from New Jersey is to—

Mr. KEAN. Mr. President—

Mr. NORRIS. Let me get through with the Chair first, please.

The PRESIDING OFFICER. If the amendment offered by the Senator from New Jersey applies to the amendment that was made as in Committee of the Whole it is in order.

Mr. NORRIS. Then, would it not follow that we are voting again upon the amendment?

The PRESIDING OFFICER. It would.

Mr. SMOOT. Mr. President, a parliamentary inquiry.

Mr. KEAN. A parliamentary inquiry.

Mr. BARKLEY. Mr. President, I rise to a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Utah will state his parliamentary inquiry.

Mr. SMOOT. If the decision of the Chair just announced is correct, would not the amendment of the Senator from Kansas [Mr. CAPPER] be in order at this time?

The PRESIDING OFFICER. The Chair did not hear the Senator from Kansas offer an amendment.

Mr. CAPPER. When we reached paragraph 84 I stated that I desired to offer an amendment at the proper time to that paragraph, though it is not included in the list of reservations.

Mr. SMOOT. I beg pardon of the Senator from Kansas. I thought his amendment was to the Portland cement item.

The PRESIDING OFFICER. The Chair will state that the Senator from Kansas—

Mr. CAPPER. My understanding is that at the conclusion of the consideration of the reserved amendments, I will have a right to offer that amendment?

Mr. SMOOT. Yes.

The PRESIDING OFFICER. The Chair will state to the Senator from Kansas that there has been no amendment offered as in Committee of the Whole to that particular paragraph, and therefore the amendment of the Senator from Kansas would not now be in order.

Mr. CAPPER. I merely gave notice that I intended to offer such an amendment at the proper time, and I inquired when I might offer it.

The PRESIDING OFFICER. The Senator may offer the amendment at the time which has been indicated by the Senator from Utah.

Mr. KEAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New Jersey will state his parliamentary inquiry.

Mr. KEAN. Is not my amendment on page 87, line 7, to provide a duty of 6 cents instead of 8 cents on Portland cement in order?

The PRESIDING OFFICER. That amendment is in order.

Mr. BARKLEY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state his parliamentary inquiry.

Mr. BARKLEY. It strikes me, if the Chair will permit me to say so, that there are only two motions in order: One is to concur in the amendment adopted as in Committee of the Whole or to concur in it with an amendment. If the Senator from New Jersey desires to offer a different rate from the one which we struck out as in Committee of the Whole it strikes me the proper motion is to concur in the amendment with an amendment.

The PRESIDING OFFICER. That would be virtually what we do, but the form of the rule is to amend the amendment; that is not only the practice of the Senate, but that is in accordance with parliamentary procedure.

Mr. NORRIS. Mr. President, the object I had in view in submitting my parliamentary inquiry was to have an understanding before we proceed—either course will suit me and I do not care as to that—but I take it now, under the ruling of the Chair, that the amendment of the Senator from New Jersey is an amendment to something that was stricken out as in Committee of the Whole. If the amendment of the Senator from New Jersey should prevail, then when we come to vote on concurring in the amendment we would concur, if we concurred at all, in the amendment as amended.

The PRESIDING OFFICER. The Senator is correct. The Senator from New Jersey is recognized.

Mr. KEAN. I ask that my amendment be stated again.

The PRESIDING OFFICER. The clerk will report the amendment offered by the Senator from New Jersey.

The LEGISLATIVE CLERK. In the amendment made as in Committee of the Whole, on page 37, line 7, it is proposed to strike out "8" and insert "6," so as to read:

Roman, Portland, and other hydraulic cement or cement clinker, 6 cents per hundred pounds, including the weight of the container.

The PRESIDING OFFICER. That amendment is in order.

Mr. BARKLEY. Mr. President, does the Senator from New Jersey want to discuss the amendment?

Mr. KEAN. Yes. As I understand, Mr. President, there has been an agreement to limit debate on the cement item to 15 minutes?

The PRESIDING OFFICER. Under the agreement debate is limited on the cement item to 15 minutes for each Senator. The Senator from New Jersey has 15 minutes, if he desires to use it.

Mr. KEAN. Mr. President, I have proposed an amendment providing for a duty of 6 cents per hundred pounds—22.8 cents per barrel—on Portland cement and Portland cement clinker in lieu of the duty of 8 cents per hundred pounds recommended by the Finance Committee. The latter rate was fully justified by the testimony before the committee and by information furnished the committee by the Tariff Commission. It was, how-

ever, defeated in the Senate, and my amendment is offered in lieu of the 8-cent rate.

Cement is a heavy commodity and carries high freight rates in relation to the value of the product. On this account the territory that can be reached by the different cement mills is limited. It is generally conceded that the importation of foreign cement affects only a narrow strip of territory along the seaboard, and at the hearings it was admitted by both sides that foreign cement could not penetrate further than trucking distance from the seaboard. Therefore, in the consideration of this case the seaboard cement industry must be taken as a separate industry.

While the volume of imports is small as compared to the total consumption in the United States, the imports are actually from 10 per cent to 12 per cent of the consumption at the seaport markets. Therefore, a duty on cement can not add one cent to the prices in the interior. The main effect of this small tariff will be to prevent additional losses to the American manufacturer and enable him to more nearly compete with foreign cement.

This proposal will in no way constitute an embargo against foreign cement. All the available information indicates clearly that the difference in the price of foreign cement laid down at the different seaboard markets varies in favor of the foreign manufacturer from 38 cents per barrel to \$1.16 per barrel. Therefore, the duty of 22.8 cents per barrel will certainly not keep out any foreign cement, but will tend solely to minimize and stop additional losses on the part of the American manufacturers in meeting foreign competition at seaboard markets.

When this subject was previously considered in the Senate a great deal was said about abnormal profits in the industry. It is entirely true that there have been two or three outstanding successful companies. Those companies, however, were the pioneers in the business, and in the early days of the industry paid out little or nothing in dividends. They put the money back in the business, which enabled them to build up a business of large proportions, and which later enabled them to return to their stockholders substantial returns in the way of stock dividends, and so forth. This, however, is the exception and not the rule, as the history of the cement industry is strewn with financial wrecks.

The figures showing income on invested capital for the seaboard industry, which are filed in the RECORD, show that the income on invested capital for the year 1928 of the seaboard mills was 4.14 per cent, and I am sure that when the figures for 1929 are available that this figure will be reduced to about 3 per cent.

The opposition attempted to prove abnormal profits by showing the percentage of profit on sales by a number of companies. The cement business is a peculiar business, and such a comparison is entirely unfair. Where a heavy fixed capital is necessary in an industry, as in cement, the relation of profit to gross sales is absolutely no index of profits on capital invested. The only profit figure of any significance is that which shows what profit was made on the capital, which must necessarily be tied up in the industry.

A cement mill with a million-barrel capacity will require fixed capital of approximately \$3,000,000. The normal ratio of production to capacity in this industry is about 70 per cent. This figure can be checked from the Bureau of Mines of the Department of Commerce. Therefore, such a company would market about 700,000 barrels annually, and at present prices their sales would amount to a little over \$1,000,000 a year. Therefore, in the cement business it takes approximately three years to turn over the invested capital. To substantiate this, I have the report for 1929 of one of the companies which shows an invested capital of approximately \$31,000,000 and sales of \$11,000,000. I might also add that, so far as this particular company is concerned, its plants are carried at a conservative value—in fact, very much less than the actual replacement value. This proves my contention that it takes almost three years to turn over the invested capital. Therefore, to get the true return on invested capital, the percentage of profit on sales would have to be divided by three.

Mr. NORRIS. Mr. President—

The VICE PRESIDENT. Does the Senator from New Jersey yield to the Senator from Nebraska?

Mr. KEAN. Yes; I yield.

Mr. NORRIS. Does the Senator believe that the 8-cent rate provided for is too high?

Mr. KEAN. No.

Mr. NORRIS. Then why is the Senator offering a motion to make it 6 cents?

Mr. KEAN. Because I hope some of the Senators who thought that an 8-cent rate was too high will consent to vote for a 6-cent rate.

Mr. NORRIS. Let me ask the Senator another question. Is not the real object to put up a legislative peg here, so that Senators who want to change their votes from the Committee of the Whole will have a place to hang them on?

Mr. KEAN. No.

Mr. NORRIS. That is not it?

Mr. KEAN. No.

Mr. McMASTER. Mr. President—

The VICE PRESIDENT. Does the Senator from New Jersey yield to the Senator from South Dakota?

Mr. KEAN. I do.

Mr. McMASTER. The Senator from New Jersey, of course, is aware of the fact that immediately after this vote upon cement the former vote will be published in the RECORD; and there may be some Senators who will change their votes.

Mr. KEAN. I hope so. I shall be glad if the Senator from South Dakota will change his vote.

Mr. McMASTER. They may desire to furnish some explanation of the change; and if the Senator reduces the rate by 2 cents a hundred pounds, of course, that will afford some little excuse or justification for their action.

Mr. KEAN. That is a large percentage.

Mr. McMASTER. But when they go before the country to explain their votes it will be a vastly different thing than explaining them on the floor of the Senate.

Mr. KEAN. I feel confident that when they go before the country they will be able to explain their votes to the satisfaction of their constituents.

Mr. NORRIS. Mr. President—

The VICE PRESIDENT. Does the Senator from New Jersey further yield to the Senator from Nebraska?

Mr. KEAN. I should like to yield, but my time is very limited. If the Senator wants to ask me a real question, I shall be glad to answer it.

Mr. BORAH. Mr. President, I desire to ask the Senator a real question.

Mr. KEAN. I shall be glad to yield to the Senator.

Mr. BORAH. What is it that has induced the Senator to change the amendment from 8 to 6 cents if 8 cents was necessary when the matter was discussed before?

Mr. KEAN. As I say, there are some Senators who have told me that they hoped I would offer this amendment, because they have looked into the question and they thought they could vote for 6 cents, but they did not feel they could vote for 8 cents.

Mr. BORAH. But evidently the Senator still thinks that 8 cents is necessary.

Mr. KEAN. I do.

Mr. BORAH. Then the Senator is proposing the rate of 6 cents in order to accommodate those Senators who want to vote with him?

Mr. BARKLEY. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from New Jersey yield to the Senator from Kentucky?

Mr. KEAN. Yes; I yield.

Mr. BARKLEY. I do not desire to take up the Senator's time; but the Senator also understands that if this 6-cent amendment is adopted, the only thing that will be in conference then is the difference between 6 cents and 8 cents; whereas if the Senate concurs in the amendment adopted in Committee of the Whole, the scope of the conference will be the whole range between nothing and 8 cents. The Senator appreciates that, too, does he not?

Mr. KEAN. I do.

The profits in the whole cement industry show a steady downward trend, and in the case of the few companies for which I have seen the figures for 1929 they show profits of about 50 per cent of what they were in 1925. Compared with the profit in other manufacturing industries, the return on the investment in the cement business is extremely unfavorable and is decreasing year by year. In 1928 a study of the returns from 268 manufacturing industries shows that the average return for all manufacturing companies was 12 per cent; for the seaboard cement industry in that year it was 4.14 per cent; and, as heretofore stated, the return for this portion of the industry for 1929 will be not more than 3 per cent.

The difference in wages in the Belgian cement industry and the American industry is well known, the wages in this country being approximately five times the amount paid in Belgium. This same difference permeates into all of the materials used in the manufacture of cement, such as coal, gypsum, and so forth, and gives the foreign manufacturer a very decided advantage in the cost of manufacture over the United States industry.

Salaries and wages for the entire industry amount to 39 cents per barrel, divided as follows:

Direct wages	per barrel	30
Salaries, exclusive of officers	do	7
Officers' salaries	do	2

There is, of course, a very large indirect labor cost in the mining of coal and other materials entering into the manufacture of cement and in the transportation by the railroads of these commodities to the mill and the outbound cement shipments.

I am submitting for the RECORD figures from the Bureau of Labor from 1926 to the fall of 1929.

The VICE PRESIDENT. Without objection, the statistics will be printed in the RECORD.

The matter referred to is as follows:

LABOR

This document is submitted for the record, and speaks for itself. In it are contained figures on employment and pay rolls for cement mills from 1926 to the fall of 1929. The figures are those of the Bureau of Labor. They show a decline in numbers employed and in pay rolls in seaboard cement mills of 30 per cent in the last three years. During the same period employment declined in interior cement mills about 8 per cent. Increase in efficiency of operations undoubtedly contributed somewhat to the decline in employment. It is a fair inference from the figures that the decline due to increased efficiency is represented by that of the interior mills, namely, 8 per cent. The additional decline of over 20 per cent on the seaboard reflects the condition of the industry in that section arising from foreign competition. The efforts of every governmental and industrial agency are being directed toward alleviating the unemployment problem. The seaboard cement industry furnishes a striking example of the necessity for some relief. Nearly 300 out of every 1,000 cement workers in that section have lost their jobs in the last three years.

Indexes of employment and pay-roll totals in the cement industry, January, 1926, to September, 1929, for the entire country and two geographic groups

(Monthly average, 1926=100)

Month and year	Employment			Pay-roll totals		
	General index (entire industry)	A ¹	B ²	General index (entire industry)	A ¹	B ²
1926—January	94.2	98.8	85.1	86.8	92.4	78.7
February	92.9	98.4	86.4	88.4	92.5	82.5
March	92.5	97.6	86.0	91.3	95.7	84.1
April	96.2	98.7	92.9	94.9	98.6	91.6
May	101.2	100.9	102.4	102.3	101.3	103.9
June	104.3	101.6	107.7	108.1	104.4	113.3
July	105.5	102.3	110.1	104.1	102.3	107.4
August	106.0	102.7	110.6	111.9	107.5	116.5
September	105.3	101.3	111.0	107.3	103.5	111.7
October	103.9	101.1	107.4	107.2	105.7	110.2
November	101.3	99.5	104.3	102.8	100.8	104.9
December	96.1	97.0	95.9	95.3	94.8	95.4
Average	100.0	100.0	100.0	100.0	100.0	100.0
1927—January	89.4	91.4	86.0	83.8	85.5	79.9
February	87.4	87.7	84.2	84.9	85.5	81.2
March	92.5	93.7	87.5	91.7	90.9	87.8
April	96.2	94.4	96.5	98.8	96.1	98.8
May	98.6	94.3	101.5	106.0	101.1	109.2
June	100.7	94.1	105.5	104.2	97.5	110.1
July	101.7	94.5	107.5	101.6	94.8	108.5
August	101.6	95.2	106.5	103.2	93.7	111.4
September	100.8	93.6	107.5	101.6	94.7	108.3
October	98.1	92.1	104.1	100.1	92.8	107.8
November	94.5	89.3	101.2	94.8	88.8	101.5
December	88.1	83.0	93.9	87.0	81.0	93.1
Average	95.8	91.9	98.5	96.5	91.9	99.6
1928—January	83.3	80.3	87.7	83.1	78.5	89.0
February	81.2	74.4	87.3	78.8	69.9	87.0
March	83.5	77.5	88.3	81.0	73.7	87.0
April	86.2	79.9	91.8	88.1	79.2	96.6
May	89.7	82.2	97.5	92.5	84.4	102.2
June	92.1	81.3	102.8	93.3	83.1	104.6
July	92.6	82.3	103.3	95.4	84.5	108.2
August	94.0	83.0	105.8	96.3	85.3	109.3
September	91.2	78.4	102.4	92.0	77.1	107.7
October	89.6	75.3	102.7	92.0	77.3	108.5
November	86.6	73.9	97.8	85.4	72.8	98.7
December	82.8	73.0	90.7	81.1	70.0	91.8
Average	87.7	78.5	96.5	88.3	78.0	99.2
1929—January	78.5	67.9	86.4	72.0	60.9	81.7
February	77.5	70.1	82.0	74.1	65.5	81.5
March	79.5	71.1	84.3	77.5	68.0	84.3
April	81.2	70.2	89.1	81.7	69.9	91.6
May	83.7	72.6	92.7	85.1	72.6	97.6
June	85.5	74.0	95.9	87.6	74.2	102.4
July	86.0	73.6	97.1	85.0	72.8	98.4
August	85.8	74.2	96.8	87.8	74.7	103.0
September	84.2	70.3	97.5	87.3	69.7	106.9
Average (9 months)	82.4	71.6	91.3	82.0	69.8	94.2

¹ A=Maine, New York, eastern Pennsylvania, New Jersey, Maryland, Virginia, Tennessee, Alabama, and Georgia.

² B=Ohio, western Pennsylvania, West Virginia, Michigan, Wisconsin, Illinois, Indiana, Kentucky, Missouri, Iowa, Minnesota, Nebraska, Kansas, Colorado, Montana, and Utah.

Mr. KEAN. These figures show a decline in numbers employed, and in pay rolls in seaboard cement mills of 30 per cent in the last three years. During the same period employment in interior cement mills declined about 8 per cent. Increase in efficiency undoubtedly contributed somewhat to the decline in employment, which is about the decrease shown in the interior mills. Therefore, the additional decline of over 20 per cent on the seaboard reflects the condition of the industry in that section, due at least partly to foreign competition. Nearly 300 out of every 1,000 cement workers in that section have lost their jobs in the last three years.

Wages paid in the cement industry compare very favorably with those of the other industries in this country; and there is no desire on the part of the American manufacturers to bring down the standards of living. On the contrary, those engaged in this industry have always favored a fair wage for their employees; and they are asking for a protective duty in order to run their mills at nearer capacity, and under conditions more favorable to employer and employee.

The VICE PRESIDENT. The time of the Senator from New Jersey has expired.

Mr. VANDENBERG. Mr. President, there is another decided difference between the situation to-day and that which existed when the Senate voted upon the cement tariff before. It is not merely a question of the difference between 8 cents and 6 cents in the rate. There is a very practical and very serious difference beyond that.

We have been talking all the time about cement as being a free-list commodity; but the fact of the matter is that there has been an 8-cent countervailing duty against Canada constantly since 1922. Therefore, along the entire international boundary, where the exposure to Canadian competition is immediate, there has been an 8-cent protection against Canadian cement, as a result of that section of the existing law which permits a countervailing duty to be assessed when Canada itself assesses a duty in kind.

Within the past 10 days the Senate has stricken from the bill all countervailing duties. Therefore, the Senate within the past 10 days or 2 weeks has voted out of the law the existing 8-cent protection against Canada. In other words, when we vote to-day, we are voting not merely on the question of raising the duty on continental cement from zero to 6 cents, but we are voting on the question of restoring 75 per cent of the existing protection so far as Canada and the State of Michigan, for instance—which is the second largest cement producer in the country—is concerned.

Mr. NORRIS. Mr. President—

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Nebraska?

Mr. VANDENBERG. I yield to the Senator from Nebraska.

Mr. NORRIS. If that be true, then when we had a countervailing duty, as we did have when we voted in Committee of the Whole, there was not any reason for the contention made by the Senator from Michigan and all others who were with him in favor of a tariff. If you were already protected by a countervailing duty, then at that time you were really asking for a double duty.

Mr. VANDENBERG. On the contrary, Mr. President, so far as the State of Michigan and the cement industry along the international boundary are concerned, the former amendment merely represented the permanent validation of the existing countervailing duty. The pending amendment merely restores 75 per cent of this protection. I use Michigan simply as an example of the situation that would exist the entire length of the international boundary so far as cement production is concerned.

I desire to call the Senate's attention to these facts:

First, with 16 mills, Michigan is the second largest producer of cement in the United States. Our immediate exposure is Ontario, of course, across the line. Ontario, in turn, is one of the largest cement producers in Canada, producing 35 per cent of all the Canadian production.

Listen to this: The Ontario price per barrel f. o. b. plant is \$1.41. That is the sales price at the Canadian plant, \$1.41. The Michigan cost per barrel is \$1.57. I think these figures are incontrovertible. I accept them as such, at any rate, because they seem to come from reliable sources.

Mr. BORAH. Mr. President, what is it that enters into the production in the United States, just across the line, which makes it more expensive than in Canada?

Mr. VANDENBERG. I am unable to tell the Senator. Does the Senator deny the accuracy of the figures?

Mr. BORAH. I deny the accuracy of the cost to the producers in Michigan, if it is in excess of the amount it costs in Canada, because the investigation shows that the cost of pro-

duction is equal on both sides of the line. Labor is paid the same, and the machinery is the same.

Mr. VANDENBERG. If the Senator can not produce his proofs, much as I respect his genius, I am unwilling to take his dictum as the last word in economics.

Mr. BORAH. I am not offering dictum; I am offering facts which I understood to be conceded.

Mr. VANDENBERG. Where does the Senator get his facts?

Mr. BORAH. The cost of production in the United States and the cost of production in Canada are not different. Cement in Canada is selling at a price which we would be charging if we were selling at a price commensurate with the prices of other commodities since the World War.

Mr. VANDENBERG. Mr. President, much as I would like to yield further, I can not, or my time will expire and I will suffer the same fate the Senator from New Jersey did.

The figures I am submitting come officially from the Tariff Commission source, and I assume I am entitled to rely upon them. Relying upon them, I make the statement that the sales price of cement in Ontario is \$1.41, as compared with a cost price in Michigan of \$1.57.

Whether the difference is more or less, the physical fact remains—and the Senator from Idaho can not deny it—that the cement industry in Michigan since 1922 has been developed under the protection of an 8-cent rate against Canadian cement. The pending amendment saves but 75 per cent of this protection to a great industry and a large employment.

Mr. WALSH of Montana. Mr. President—

Mr. VANDENBERG. Senators may analyze the statistics as they please; that is the physical fact.

Mr. President, how much time have I left?

The VICE PRESIDENT. Eight minutes.

Mr. VANDENBERG. I yield to the Senator from Montana.

Mr. WALSH of Montana. In order that we might properly appraise the value of the figures given us, can the Senator state the different elements entering into the cost in Canada and in Michigan?

Mr. VANDENBERG. I can not. I am merely taking the total as it is given me by the commission.

Mr. WALSH of Montana. Are wages lower in Canada than they are in Michigan?

Mr. VANDENBERG. I have not analyzed the figures. I am giving the Senator the total. The Senator, however, no matter how much he tries to subdivide the arithmetic, can not escape from the conclusion that the cement industry has had its development during the last eight years in Michigan, the second largest cement producer in the country, under the benefit of an 8-cent protection against Canada, and this life-saving benefit is now withdrawn.

We have discussed cement in the Senate heretofore entirely as though it were a free list product. There was never a word mentioned in the previous debate about the fact that we have this countervailing duty protection against Canada. Within the last 10 days the Senate has stricken down that protection. Therefore, so far as Canadian competition is concerned, when the Senate votes for the amendment offered by the Senator from New Jersey, it merely votes to retain 75 per cent of the existing protection which we have against Canadian competition, and, so far as Michigan, the second largest cement producer in the country, is concerned, Canadian competition is the only thing we have to fear at all.

Mr. NYE and Mr. BARKLEY addressed the Chair.

The VICE PRESIDENT. Does the Senator from Michigan yield; and if so, to whom?

Mr. VANDENBERG. How much time have I left?

The VICE PRESIDENT. Six minutes.

Mr. VANDENBERG. I yield to the Senator from North Dakota.

Mr. NYE. I would like to ask the Senator from Michigan if he opposed the move to abandon the countervailing duty on cement.

Mr. VANDENBERG. I certainly did.

Mr. BARKLEY. Mr. President, if the Senator stated what the duty on cement from Canada is, I did not hear what he said.

Mr. VANDENBERG. Eight cents per hundred pounds, plus 20 per cent ad valorem on bags.

Mr. BARKLEY. There is a refund on bags, is there not?

Mr. VANDENBERG. Yes; but that is reciprocal both ways.

Mr. BARKLEY. So that the bag end of it does not count?

Mr. VANDENBERG. The bag end washes itself out each way. The thing I am discussing is the 8-cent rate, which has existed since 1922, and I repeat that the amendment proposed by the Senator from New Jersey will merely provide 75 per cent

of the protection under which our great cement industry has been developed.

Mr. BARKLEY. Mr. President, will the Senator yield just a moment there?

Mr. VANDENBERG. I yield.

Mr. BARKLEY. What did the Senator give as the figures of the cost of production in Canada?

Mr. VANDENBERG. I gave the selling prices in Canada. The average selling price per barrel f. o. b. plant in Ontario is \$1.41.

Mr. BARKLEY. What is it in Michigan?

Mr. VANDENBERG. The Michigan cost price per barrel is \$1.57.

Mr. BARKLEY. What is the selling price in Michigan?

Mr. VANDENBERG. I do not have that figure.

Mr. BARKLEY. It will not be \$1.57. It is more apt to be about \$2.50, is it not?

Mr. VANDENBERG. I do not have the figure. The comparison I have given suffices to make the point I am submitting to the Senate.

Mr. BARKLEY. But, if the Senator will yield, it is hardly fair to try to compare the selling price in Canada with the cost price in Michigan.

Mr. VANDENBERG. It is obviously fair when the selling price, to which the Senator refers, is lower in Canada than the cost price is in the United States. The selling price in the United States would simply make a wider spread in the figures and increase the force of my exhibit.

Mr. BARKLEY. If the Senator will yield further—

Mr. VANDENBERG. I am sorry, I can not yield further. My time has practically expired, and I will have to ask the Senator to speak in his own time.

Mr. COUZENS rose.

Mr. VANDENBERG. I yield to my colleague.

Mr. COUZENS. In answer to the Senator from Kentucky, the average selling price of cement over a number of years in Detroit, for example, has been \$1.95. Those are the figures of the Tariff Commission, and that has been the price for a number of years.

Mr. VANDENBERG. Mr. President, in conclusion I submit the following telegram from the Petoskey Portland Cement Co., which is one of the great cement industries of the Middle West, reading as follows:

We understand Senate's recent action relative tariff on cement has removed all countervailing duties, thus eliminating former protection of 8 cents a hundred pounds on Canadian cement. Canada has approximately 6,000,000 barrels annual surplus production, and this constitutes a serious threat to American manufacturers along border.

Mr. President, I voted for the 8-cent duty on cement, and I voted for it without submitting an argument to the Senate, on the basis of a memorial unanimously adopted by the Michigan State Legislature in favor of the 8-cent duty. I voted for it then under those circumstances. Certainly I am justified in voting for it now, and in hoping to enlist aid from others now, when the pending proposal involves an actual reduction of 25 per cent in the protection which we already enjoy against Canada. As regards European cement, none of it reaches the interior, and the tariff, whatever it is, can not affect the price of cement to the ultimate consumer by one single cent.

Mr. McMASTER. Mr. President, I have listened with a good deal of interest to the astounding proposal to renew an amendment to place a duty upon cement.

In reference to the figures submitted by the Senator from Michigan as to the cost of cement in the State of Michigan, the figures which he presented, of course, were not the Tariff Commission figures, as he represented on the floor of the Senate, but simply the result of a questionnaire that was sent out by the Tariff Commission.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. McMASTER. I yield only for a question.

Mr. VANDENBERG. I simply do not want the Senator to impugn the veracity of my statement. The figures were obtained by me from the Tariff Commission, and there is no argument about it.

Mr. McMASTER. If the implication was that the Tariff Commission had made an investigation and ascertained the facts in regard to the matter, then I want to say that there is no authority for the Senator making a statement along that line.

Mr. VANDENBERG. The Senator can draw his own implication. I made the statement as to the source of the information.

Mr. McMASTER. I simply want to tell the Senate the facts in regard to the matter, that the Tariff Commission sent a questionnaire out to the manufacturers asking them what the costs were. The manufacturers knew that when they submitted those figures they were submitting them upon the basis of

obtaining an increased tariff, that there was no likelihood whatever of the Tariff Commission investigating those figures.

In reference to competition in Michigan, I will admit that in Belgium, probably, cement can be manufactured much cheaper than it can be in the United States or in Canada. Yet during all these years there has been no tariff on cement, and what would have prevented the Belgian interests from shipping cement down the St. Lawrence and over the Great Lakes and into the State of Michigan? Yet not one barrel of cement has come from Belgian interests to that source, on account of difficulties of transportation, and because of the fact that they could not compete under those circumstances with the State of Michigan without any tariff whatsoever upon cement.

Mr. DILL. Mr. President, will the Senator yield?

Mr. McMASTER. I yield.

Mr. DILL. The Senator does not make that statement about Belgian cement coming to the Pacific coast, does he?

Mr. McMASTER. No; I am going to touch that a little later. I shall get into that.

Generally speaking, the complaint is made by the cement industry, particularly in the Eastern States, that it can not compete with Belgian cement, that Belgian cement during the last six months or year has been hammering down the price of American cement. What are the facts in regard to this matter?

The Hawley bill came over from the House in June, and was referred to the Finance Committee. When the contents of that bill became known to the country, and it was learned that the interests were attempting to make a raid upon the agriculture of this country by placing a tariff upon basic building materials, a protest arose from every section of the Northwest in regard to that.

The cement interests of this country then became alarmed. They knew they had to do something to convince Congress that they needed this duty, and what did they do? In the month of August, when this matter was up for consideration before the Finance Committee, the Cement Trust in the Eastern States, beginning with Philadelphia, lowered the price of cement by 30 cents a barrel, and in the Atlantic Coast States they lowered it by 20 cents a barrel.

Then the Cement Trust and the cement interests started to work for this tariff of 31 cents a barrel, and finally their lobby here in Washington sent out reports to the cement interests that everything was fixed, that they would receive a tariff of 31 cents a barrel on cement. When the cement interests were positively assured of that, what did they do? In the month of November in the city of Philadelphia they raised the price of cement by 30 cents a barrel; in the city of New York and in the city of Boston, where they had competition with the Belgian interests, and claimed that they were being crushed, in the face of all of that, they raised the price of cement by 20 cents a barrel. They dominate and they dictate the price of cement in the United States, regardless of this foreign competition.

I want to say a word to the Senator from New Jersey. There are two cement mills in his State. He claims, of course, that they are being crushed by this Belgian competition in the city of New York.

The facts are that all of the mills in the East which supply cement to the city of New York manufacture 52,000,000 barrels of cement a year. All that the foreigners can sell in the city of New York is 212,000 barrels a year. In other words, if we put an embargo upon cement from Belgium in the city of New York the only increased market that will come to those two factories in the State of New Jersey will be one barrel in 250. In other words, for every 250 barrels sold in the city of New York by American producers Belgium will sell just one barrel.

When we are told that one-third of the labor in the East in the cement mills is out of employment because of foreign competition, we can not reconcile that statement with the facts. It can not be done, because when we import only 600,000 barrels of cement for Boston, Philadelphia, and New York, it represents only about one barrel in 100 that is sold there, so how can that foreign competition in cement throw out of employment one-third of all the labor in the cement industry?

I want to say this to the Senators who are talking about throwing labor out of employment. In 1927 the Belgian Government started a move to put an embargo through a tariff upon American automobile parts which were being imported into that country. Then the automobile industry of America exerted every ounce of its power to influence the Belgian Government to refrain from that action, and it did refrain. In view of the fact that we sell to the Belgian people \$111,000,000 of products a year and they sell to us only \$75,000,000 worth, I say to Senators who come from the automobile-manufacturing States that if they try to put an embargo upon cement and brick and plate glass, the Government of Belgium is going to retaliate against

them and they will have their votes to answer for in placing an embargo against Belgium upon cement.

Mr. FLETCHER. Mr. President—

The VICE PRESIDENT. Does the Senator from South Dakota yield to the Senator from Florida?

Mr. McMASTER. I yield.

Mr. FLETCHER. Can the Senator tell us anything about the difference in the cost of production in Belgium and in the United States? I do not know that that has been stated.

Mr. McMASTER. The Tariff Commission submitted to the Finance Committee a statement in regard to that matter. However, there was nothing accurate about the statement. They simply took the statement of the American manufacturers without verifying the figures, without sending an accountant to check up their accounts, and hence it is impossible for me to state accurately the figures, except that the difference in cost is so small that no Belgian cement can be imported 10 miles into the interior from any seaboard city.

Mr. FLETCHER. It has been stated to me, and I think it is true, that the Belgian cement is being imported into Tampa, where we have a cement plant, and that it is being imported at a cost of about 14 cents a barrel.

Mr. McMASTER. That is ridiculous. That statement is ridiculous. If it could be imported into Tampa at 14 cents a barrel, cement could penetrate far into the interior of the country.

Mr. President, I want to call the attention of the Senate to another matter. The Lehigh Valley Portland cement interests around Philadelphia complained before the committee that they could not meet Belgian competition. The Tariff Commission furnished to the Finance Committee the selling prices of cement in the United States on a certain day, and in that statement it was shown that the Lehigh Valley interests were selling cement in Philadelphia for \$2.35 a barrel, while in the city of Chicago cement was selling for \$2.25, 10 cents a barrel less than it was being sold for in the city of Philadelphia, and yet Chicago does not know what it is to have foreign competition, because not a barrel of Belgian cement can penetrate into the city of Chicago.

Why is it that the interior of the country is unalterably opposed to a tariff upon cement? It is for the reason that the record of the cement industry shows that the industry is gradually gravitating into the hands of the strong and the powerful of the country. The record shows that 30 days ago the United States Steel Corporation purchased one company which had seven cement plants, and such consolidations are going on constantly. The real object underlying the demand for an increased duty on cement of 24 cents or 31 cents a barrel is so that finally the strong interests, having a monopoly of the business, may increase the price of every barrel sold in the United States by 31 cents. They will thus place, in other words, \$53,000,000 of an additional burden upon the consumers of cement and upon the farmers of the country. It is a drive for the purpose of further raiding the agricultural interests of the country. There are no facts which justify under any circumstances an increased duty upon cement.

Mr. HALE. Mr. President, whatever the Senator from South Dakota [Mr. McMASTER] may think about the effect of Belgian importations of cement in general, I am sure he will admit that in the case of the cement mill in my State, at Thomaston, Me., the foreign competition does directly affect us.

Mr. McMASTER. Mr. President, will the Senator answer a question?

Mr. HALE. I wish the Senator would allow me to make my statement.

Mr. McMASTER. Let me ask the Senator a question. He has made a statement, and he can answer the question in the further course of his statement. The Senator said that the mill in Maine can not compete with Belgian cement. How was it that the mill in Maine in November last entered into an agreement to increase the price of cement in the city of Boston by 20 cents a barrel and succeeded, and the price went up by 20 cents a barrel in the face of Belgian competition?

Mr. HALE. I know nothing about the agreement to which the Senator refers. I suppose he probably refers to the parent company of the mill in Maine, and that is the Lawrence Cement Co., of Pennsylvania. The mill in Maine is a branch of the parent company. It was built a year or two ago at a cost of something over \$3,000,000 and has been in operation for about a year. The capacity of the mill is about 1,000,000 barrels of cement a year. They have been making about 500,000 barrels of cement a year. The natural outlet for their products would run as far south perhaps as Providence along the coast. We would expect a market in Providence, Boston, and Portland, and in the territory immediately adjoining those ports, and, of course, the market in the State of Maine. The Belgian im-

portations to Boston alone amount to 470,000 barrels of cement a year, to Providence I think about 54,000, and Portland about 50,000 barrels.

When the matter came before the Senate previously I placed in the RECORD a letter from the president of the Lawrence Cement Co., of Maine. In this letter he stated that the cost of producing cement f. o. b. Thomaston is \$1.30. In these costs he did not include interest on the investment in the plant. With interest on the investment in the plant included, the total cost would be raised 30 cents—I think that was the figure—which would have to be added to the \$1.30 with the plant running at one-half production.

If it should run on 80 per cent production this additional cost would be more or less neutralized. The actual cost, including interest on the investment cost, would be substantially \$1.33 a barrel f. o. b. the mill.

To deliver cement from the Maine mill to Boston, Portland, and Providence would cost 63 cents to Boston, 48 cents to Portland, and 72 cents to Providence. The delivered cost of the cement from this mill would therefore be around \$1.93 at Boston, \$1.78 at Portland, and \$2.02 at Providence. The foreign cement at those ports is sold at a very considerably less price. Belgian cement can be delivered at Boston for \$1.29, at Portland for \$1.29, and at Providence for \$1.29. Obviously, with Belgian cement delivered at Boston, Portland, and Providence at that price and with our cement delivered at prices of \$1.93, \$1.78, and \$2.02, the duty of 22½ cents, which is asked for here, while it would help us, would not enable us to meet the competition; neither would the rate of 31 cents, but it would be helpful to us.

Mr. McMASTER. Which is the parent company?

Mr. HALE. I think the parent company is the Lawrence Cement Co. of Pennsylvania.

Mr. McMASTER. Is that connected with the Lehigh Co.?

Mr. HALE. I am not familiar with the ramifications of the company. All I am interested in is the Maine branch of the company, which is running at a loss at the present time—at a very great loss. About the only market that is left to us where we can meet the Belgian importations is what we can get locally in the State of Maine. The local market amounts to about one-half the possible production of the mill.

Furthermore, if what the Senator from Michigan [Mr. VANDENBERG] said about Canadian countervailing duties is correct—and I have not examined into that matter—after this we are going to meet further Canadian competition. All I ask is that something be done to help out this industry of ours, which employs a great many people and which, I think, ought to be kept on its feet.

Mr. NYE. Mr. President, during the original debate upon the proposal to write a duty on cement, claims were made relative to the losses that would be sustained by labor in certain of the States. Among them were Maryland, as to which we were told that if the duty was not written upon cement something like 1,500 men would be out of employment. I am not going to argue that point further than to say that the Census Bureau has given me information which discloses the presence of two cement plants in Maryland and two cement plants in Virginia. The four plants combined employed men to the number of 1,026, so that I think we must see that the duty is not so dangerous a thing toward the employment of labor as some would have us believe. How could 1,500 men be out of work in the Maryland cement industry when there are not that many employed in the industry in the State?

I am this morning in receipt of two telegrams, one from Albert V. Moore, president of the American Scantic Line, reading as follows:

NEW YORK, N. Y., March 6, 1930.

HON. GERALD P. NYE,

United States Senate Chambers:

American steamship owners operating American flag vessels need cement cargoes coming to United States ports to maintain quick service, reasonable rates for American exporters and shippers. Please use your influence keep cement on free list. We operate weekly cargo and passenger steamers from north Hatteras ports to and from Scandinavia.

ALBERT V. MOORE,

President American Scantic Line.

Another telegram is from Joseph P. Ryan, president of the International Longshoremen's Association, reading as follows:

NEW YORK, N. Y., March 6, 1930.

HON. GERALD P. NYE, of North Dakota,

Senate Office Building:

Understand another effort will be made to-day to impose duty on cement and brick. International Longshoremen's Association is keenly interested in these commodities coming in free of duty, as these cargoes

furnish employment for our men, who are badly in need of it. We would urge your earnest support in our efforts to keep these men employed.

JOSEPH P. RYAN,
President International Longshoremen's Association.

I only wish to remark in that connection, Mr. President, that from the standpoint of labor it is a question of how best American labor would be served—whether it would be in denying a duty on cement or in placing a duty upon cement.

We are told that the whole difficulty confronted by the cement producers of America lies in the competition which they are forced to meet from abroad. The February 15 issue of *Business Conditions Weekly*, issued by the bureau of business conditions, a division of the Alexander Hamilton Institute, makes this statement:

THE RECESSION IN CEMENT CONSUMPTION

Expansion of cement consumption was halted in 1929 for the first time since 1921. Shipments of cement totaled 169,394,000 barrels in 1929, as against 175,838,000 barrels in 1928, a decrease of 3.5 per cent.

Cement shipments

	Barrels
1919	85,613,000
1920	96,312,000
1921	95,507,000
1922	117,701,000
1923	135,912,000
1924	146,047,000
1925	157,295,000
1926	162,187,000
1927	170,922,000
1928	175,838,000
1929	169,394,000

The curtailment of the demand in 1929 was particularly distressing, because the cement industry increased its producing capacity last year to a new high record when the capacity was already in excess of requirements. There were 165 plants with an annual capacity of 261,000,000 barrels at the close of 1929, as compared with 159 plants with a capacity of 242,000,000 barrels at the end of 1928.

The output of cement last year was equivalent to only 66.4 per cent of producing capacity as compared with 74 per cent in 1928, due to both increased capacity and curtailed production. Despite the reduction in output, production exceeded shipments, and stocks on hand increased during the year from 22,918,000 barrels to 23,519,000 barrels.

Competition in the cement industry was exceptionally keen in 1929 and the downward trend of prices which has featured the situation since 1923 because of excessive capacity became more pronounced. Prices declined last year to the lowest level since 1918. The price index of cement (1926=100) was 89.2 at the beginning of 1930 as compared with 96.5 a year ago and the 1923 high of 109.6 when the downward trend started.

The reduction in the consumption of cement last year was due not only to the curtailment of building activity, but also to a decline in paving operations. Contracts awarded for paving totaled 139,663,000 square yards in 1929 as compared with 148,078,000 square yards in 1928, a decrease of 5.7 per cent. About 28 per cent of the cement output is used in paving.

It is doubtful whether cement consumption in 1930 will exceed the amount used in 1929. Some gain is possible, however, providing that the promised increase in road-building and public-construction work materializes. Under any circumstances prices are not likely to enjoy much support because the producing capacity of the industry is so large.

I contend, Mr. President, in keeping with that accounting of the situation, that a tariff is not going to afford any better condition for the American cement industry than exists at the present time. But how badly off, in what terrible shape, is the American cement industry? In the previous debate on cement I offered for the *RECORD* a table showing just how profitable various units of the cement industry had been during the last 5 or 10 years; and now I have before me the official organ of the cement producers, the title of the publication being *Pit and Quarry*, and here we find listed the names of the various companies and a summary of their earning power during the past year, and of their prospects. So, Mr. President, I can not take seriously the statement as to the terribly depressed circumstances in which the cement trade finds itself, because, in the first place, if the industry is suffering a depression at all it is traceable primarily to the lack of building operations in America, and not to the lack of a tariff to keep out the little smattering of cement that is coming in from Belgium.

The Senator from New Jersey [Mr. KEAN] has made reference to the status of certain companies that have been losing money. I would point out to him that the Florence Cement Co., with which he is conversant, had profits for the years

running from 1922 to 1925 ranging all the way from \$115,000 to \$988,000, and a total profit in seven years of \$4,286,546, or a percentage of profit to sales in that 7-year period of 16.8.

Mr. KEAN. Mr. President—

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from New Jersey?

Mr. NYE. I yield.

Mr. KEAN. As I pointed out in my remarks, it would be necessary to divide that profit by three, because the capital of the company only turns over once in three years. Therefore, it is necessary to divide those profits by three to begin with, and this year that company will show a profit of not over 4 per cent on its capital.

Mr. NYE. That may be somewhat in keeping with the methods of accounting which I have understood are in vogue, to the effect that in the case of the greater cement companies in America their profits ought to be divided by three. A showing has been made to me, but there is no opportunity here now to present it, that many of the leading companies are those that have gone out and bought up other companies, merged many companies, and then for that which they have paid, we will say, \$1, they have gone to the stock exchange and sold the stock of those merged institutions for \$3; for every dollar of actual investment stocks were sold for \$3, and now I suppose it is expected that Congress should write tariff rates that will enable them to pay a return of 6, 8, or 10 per cent upon those thus inflated stocks.

Mr. President, we heard this morning of the serious situation which prevails because of the abandonment some days ago of the countervailing duty provisions of the tariff act as they related to cement. I asked the Senator from Michigan while he was on his feet if he had protested at the time those countervailing duties were stricken from the bill, and he responded that he certainly had; but, Mr. President, for the life of me, tracing through the *RECORD* of March 4, when the countervailing duties were stricken from the bill, I fail utterly to find where the Senator from Michigan voiced any protest whatsoever. I insist here to-day that the countervailing duties have been stricken from the bill in more cases than that of cement for the purpose alone of affording an opportunity for the argument that the industries affected no longer have even the protection they once had in that form.

Mr. President, with that situation clear I want to say here and now if, under the program of playing with the countervailing duty features of the bill in the manner in which they have been played with, that is the only argument left for them, I insist that they come forward to-day, here and now, and ask for a reinclusion in the bill of the countervailing features rather than for a general increase in the tariff rates on the several commodities.

Mr. ROBSION of Kentucky. Mr. President, I rise to seek some information in regard to this question. I should like to inquire of the Senator from New Jersey how many cement concerns there are in this country—how many plants?

Mr. KEAN. I think there are between 125 and 150—something like that number.

Mr. ROBSION of Kentucky. How many different concerns own those plants?

Mr. KEAN. At least 60 or 70.

Mr. ROBSION of Kentucky. And how many men are employed or have been employed in this industry, and what wages do they receive annually?

Mr. KEAN. I think there are some 35,000 or 40,000 men employed in the cement industry, and, estimating that each man thus employed has five dependents, the number of those directly interested in the cement industry would aggregate about 150,000.

Mr. ROBSION of Kentucky. What amount of wages is paid to these 35,000 or 40,000 cement workers?

Mr. KEAN. The pay roll, I should say, amounts to \$50,000,000 a year, or something like that; I do not have the exact figures.

Mr. ROBSION of Kentucky. As I understand, it runs somewhere in the neighborhood of \$55,000,000 or \$56,000,000 a year.

Mr. KEAN. I think probably that is more correct.

Mr. ROBSION of Kentucky. I did not catch the exact figures, but the Senator from New Jersey made a statement as to the number of persons who are out of employment in the industry or as to the extent employment has been reduced. I should like to have that information.

Mr. KEAN. The figures show, Mr. President, that during the past two years the employment in the cement industry in the Middle West, away from the seaboard, is in the neighborhood of 94 or 95 per cent, while on the seaboard for more than a year and a half under the conditions which prevail, the percentage of employment is only about 70 per cent of normal, of the number employed, say, a year and a half ago.

Mr. McMASTER. Mr. President—

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from South Dakota?

Mr. ROBSION of Kentucky. I was about to ask another question for the purpose of securing information.

Mr. McMASTER. I should like to answer the question the Senator has just asked.

Mr. ROBSION of Kentucky. I yield.

Mr. McMASTER. The Senator from New Jersey states that employment in the cement industry during the last two or three years has been cut down anywhere from 15 to 20 or 25 per cent. Is that true?

Mr. KEAN. That is, on the seaboard.

Mr. McMASTER. Yes; but the record shows that those same cement plants located upon the seaboard and which furnish the seaboard cities with cement, in 1928 and in the first six months of 1929 produced more cement than they produced at any time in their history. How could they produce more cement while they were cutting their labor force down 15 or 20 or 25 per cent?

Mr. ROBSION of Kentucky. The same statement might be made as to nearly every other industry. The railroads in this country handled more freight in 1928 and 1929 than ever before in their history, with two or three hundred thousand less men employed; and in other industries, for instance in the coal mines, each man is producing much more tonnage than he ever before produced, yet there are less men employed.

Mr. NORRIS. Mr. President—

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from Nebraska?

Mr. ROBSION of Kentucky. I yield.

Mr. NORRIS. Mr. President, that situation probably came about because of the use of more efficient machinery. More cement is now produced with less labor; but is that any reason why we should impose a tariff on cement? It is a good argument why we should take the tariff off, when, on account of efficiency, they have been able to produce it at a less cost?

Mr. ROBSION of Kentucky. Mr. President, I want to make a further inquiry of the Senator from New Jersey.

Mr. KEAN. Mr. President, I should like, first, to make a suggestion if the Senator from Kentucky will yield to me.

Mr. ROBSION of Kentucky. I yield to the Senator from New Jersey.

Mr. KEAN. I should like to suggest to the Senator from Nebraska that the machinery used by the cement industry in the Middle West is the same as that which is used in New Jersey and Pennsylvania. In the Middle West, however, the employment was about 95 per cent, compared to the number employed two years ago; while in New Jersey the employment was only about 70 per cent of what it was two years ago. That, I think, is a reply to the Senator from Nebraska.

Mr. ROBSION of Kentucky. Is it the belief of the Senator from New Jersey that the lack of this protection will add greatly to the unemployment in the cement industries along the Atlantic coast?

Mr. KEAN. Mr. President, it has already added to the unemployment; and every vote I have cast here has been in an effort to aid labor, so that the unemployment will be alleviated.

Mr. ROBSION of Kentucky. Further, how far in the interior is this cement from the Atlantic coast shipped?

Mr. KEAN. The report of the experts of the Tariff Commission shows that on the average the freight rate from the cement plants of Pennsylvania and New Jersey to the cities of New York, Boston, and other seaboard points is more than the freight rate from Belgium.

Mr. ROBSION of Kentucky. Then it is the contention of the Senator from New Jersey that this cement could not penetrate to any great distance in the interior—perhaps only 50 or 100 miles?

Mr. KEAN. That is about the limit of the possible shipment.

Mr. ROBSION of Kentucky. If this duty were placed upon cement along the Atlantic seaboard and, say, the Canadian border of Michigan, how would it affect the price of cement to the consumer in Kentucky?

Mr. KEAN. Not one cent.

Mr. ROBSION of Kentucky. Is it the contention of the Senator from New Jersey that the people of the Atlantic seaboard desire this tariff to protect that industry?

Mr. KEAN. I think there is no doubt about it, because that would give more employment to labor, and that is what we are all seeking.

Mr. ROBSION of Kentucky. And it would not add to the cost of cement to the people in Kentucky or other interior sections of the country?

Mr. KEAN. It would not.

Mr. ROBSION of Kentucky. How, if at all, would it benefit the people of the State of Kentucky if this duty were granted,

and there were an increase in the number of people employed and the prosperity of these industries in Michigan and along the Atlantic coast line?

Mr. KEAN. Kentucky raises tobacco and wool; Kentucky raises a great many products that are consumed by the people of New Jersey and the people of Michigan; and if those people make money they buy the products of Kentucky. If they have not the money, they can not buy them.

Mr. McMASTER. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from South Dakota?

Mr. ROBSION of Kentucky. Just another question, and then I will yield.

We have some cement plants in the State of Kentucky. Are the cement people along the Atlantic seaboard interested in a financial way in the cement plants of Kentucky? What I am trying to find out is whether this whole cement proposition is in a trust, and if we help one part we help the whole.

Mr. KEAN. There is no trust. They are all competing against each other, and the competition is very keen. There are at least 97 separate companies. Of course, there are some companies that own a plant in one place and a plant in another place and a plant in a third place. That saves those companies in their selling agents and in their overhead, because they have but one president, and any company with a large distribution and having several plants in several places has less selling expense than if it has but one plant.

Mr. McMASTER. Mr. President—

Mr. ROBSION of Kentucky. I yield to the Senator from South Dakota.

Mr. McMASTER. The Senator from New Jersey states, for example, that there is nothing in common in cement prices; that there is very keen competition among the various cement factories. He states that there are 125 competing factories in the New England States and in the Atlantic seaboard States, and that there is great competition among them. Uniformly, however, the 125 factories lowered their prices in August to exactly the same price, and in the month of November the 125 factories in unison raised their prices. That, of course, displays sharp competition as far as prices are concerned.

Mr. ROBSION of Kentucky. Mr. President, I understand that there are 157 plants throughout the country, owned by 94 different concerns. I was trying to find out if those 94 concerns were operating independently of each other.

Mr. KEAN. They are entirely independent of each other.

Mr. ROBSION of Kentucky. The chief competitor in the cement business of the Atlantic coast people of the United States is Belgium; is it not?

Mr. KEAN. Yes.

Mr. ROBSION of Kentucky. How do labor costs in that country compare with our own?

Mr. KEAN. The labor cost in Belgium is about one-fifth of the labor cost in this country. Here are the official books of the Belgian companies. They show profits of anywhere from 35 to 40 per cent per annum.

Mr. ROBSION of Kentucky. The Senator is referring to the Belgian concerns?

Mr. KEAN. Yes.

Mr. ROBSION of Kentucky. Did I understand the Senator to say that Belgium could lay down cement in New York at less cost for transportation than the cost of shipping cement from the Pennsylvania and New Jersey plants into New York City?

Mr. KEAN. That is correct.

Mr. NORRIS. Mr. President, I should like to ask the Senator a question.

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from Nebraska?

Mr. ROBSION of Kentucky. I yield to the Senator.

Mr. NORRIS. The Senator has given practically all of his time to the Senator from New Jersey. He has exhausted his own time. I have been wondering, since this little theatrical performance of questions and answers has been going on, if this is the first time the Senator has rehearsed this dialogue.

Mr. KEAN. It was not rehearsed at all.

Mr. NORRIS. That accounts, then, for the many mistakes that have been made in its rehearsal.

Mr. ROBSION of Kentucky. Mr. President, I desire to let the Senator from Nebraska know that the Senator from Kentucky has the right to rise in his place in his own time and seek information from those who have made a study of this question; and I think the insinuation is entirely improper.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from New Jersey [Mr. KEAN].

Mr. HARRISON. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Frazier	Keyes	Shortridge
Ashurst	George	La Follette	Simmons
Baird	Glass	McCulloch	Smith
Barkley	Glenn	McKellar	Smoot
Bingham	Goff	McMaster	Steck
Black	Goldsborough	McNary	Stelwer
Blaine	Gould	Metcalf	Stephens
Blease	Greene	Moses	Swanson
Borah	Grundy	Norbeck	Thomas, Idaho
Bratton	Hale	Norris	Thomas, Okla.
Brock	Harris	Nye	Trammell
Broussard	Harrison	Oddie	Tydings
Capper	Hastings	Overman	Vandenberg
Caraway	Hatfield	Patterson	Wagner
Connally	Hawes	Phipps	Walcott
Copeland	Hayden	Pine	Walsh, Mass.
Couzens	Hebert	Pittman	Walsh, Mont.
Cutting	Hedlin	Ransdell	Waterman
Dale	Howell	Robinson, Ind.	Watson
Dill	Johnson	Robison, Ky.	Wheeler
Fess	Jones	Schall	
Fletcher	Keat	Sheppard	

Mr. HASTINGS. My colleague [Mr. TOWNSEND] is necessarily absent from the Chamber.

The PRESIDENT pro tempore. Eighty-six Senators having answered to their names, a quorum is present. The question is on agreeing to the amendment proposed by the Senator from New Jersey [Mr. KEAN].

Several Senators called for the yeas and nays.

Mr. HATFIELD. Mr. President, the American Portland cement industry is comparatively new, having been started about 40 years ago. Prior to that time all of the cement used in this country was imported, principally from Germany. At the start, the American industry was necessarily very crude, and in marketing their product they had to overcome prejudice due to the belief that the quality of domestic cement was not equal to that of the foreign product. Eventually, however, they wore down the consumers' resistance, and gradually displaced the cement which had heretofore been furnished by Germany, and they had little or no trouble in disposing of all of the cement they could manufacture.

However, new mills began to spring up, and they were soon confronted with a production greater than demand. In order to meet this situation they formed cooperative promotional organizations to increase the use of cement. With the knowledge gained from experience and experiments and the expenditures of large sums of money, they were entirely successful. This organization has succeeded so well that it has increased the per capita consumption of cement in this country every year from the time it was formed, except during the war years, when there was necessarily a considerable falling off in shipments of cement. To-day this country has a very much larger per capita consumption of cement than any other country in the world. However, the production of cement has increased to such an extent that according to the figures from the Bureau of Mines, Department of Commerce, there is now in this country an annual production capacity of approximately 240,000,000 barrels, and a consumptive capacity of 170,000,000 barrels of cement. Therefore, in so far as interior prices are concerned, competitive conditions will continue in the future, as in the past, to make these prices. Under these conditions it is absolutely unfair to say that the imposition of this tariff duty will add a burden on the consuming public.

In the previous debate this cost was arrived at by multiplying the total consumption of cement in the United States by the amount of the duty imposed and stated as approximately \$53,000,000. This is not an accurate basis, and the imposition of this tariff will affect, and that only in a limited degree, a very small proportion of the cement consumed at the seaboard markets.

Competitive conditions in the future, as in the past, will fix the price of cement at the interior; in fact, at all other points.

I know of no industry that has been subject to more unjust criticism than the Portland cement industry. On the other hand, I know of no industry that has contributed more to make living conditions more comfortable or to add more to the hygienic conditions in this country than this same industry.

Through their promotional efforts, in cooperation with State, county, and municipal authorities, they have developed the concrete highway, which makes all parts of the country accessible at all times of the year and furnishes us with roads over which we ride with the minimum of expense and the maximum of comfort. They have developed highway and railroad bridges of great strength and beauty. Other great structures and large engineering projects stand as a monument to this industry. Our airports are being developed with concrete. The small uses of concrete around the home and on the farms have been extended in a very successful way, and I am told that experiments are now being made with a concrete roadbed for railroads.

Through this educational campaign the use of cement has been made possible and known to practically every man, woman, and even to children.

The obvious answer to the charge that there is a monopoly in the domestic cement industry is found in the fact that there are in the United States 158 privately owned and operated plants; that the ownership of these plants is divided among 94 independent companies; and that the largest single company produces a little more than 10 per cent of the total output.

This whole question of monopoly was completely disposed of in the Government's case against the cement companies, which was finally decided in favor of the cement companies by the Supreme Court. Extracts from this decision were cited on the floor of the Senate by the senior Senator from New York when this subject was previously discussed.

One of the facts cited by opponents of the cement industry to prove monopoly is the uniformity of prices which prevail in any given market for different brands of cement. This matter was disposed of in the decision of the court in the following statement:

... This record wholly fails to establish, either directly or by inference, any concerted action other than that involved in the gathering and dissemination of pertinent information with respect to the sale and distribution of cement to which we have referred, and it fails to show any effect on price and production except such as would naturally flow from the dissemination of that information in the trade and its natural influence on individual action. (Supreme Court decision, Cement case, 258 U. S. 588.)

This seaboard industry is in dire need of some protection. The mills in the State of Maine, those located in the great Lehigh Valley section of Pennsylvania and New Jersey, the Hudson Valley district and other points in New York State, the States of Maryland, Virginia, and West Virginia show very little or no profits for the year 1929. Those located in Tennessee, Georgia, Florida, Louisiana, and the great cement manufacturing State of Alabama show an actual out-of-pocket money loss, not counting on any return on invested capital. I am not so familiar with the manufacturing conditions in the State of Texas. I do know, however, that the industry in that State has been seriously affected, as it is particularly susceptible to foreign competition, and unless some protection is given this product we will soon find the industry in that State, as well as other seaboard States, in worse condition.

On the western coast the mills located in the States of California, Oregon, and Washington are facing a new danger. There the foreigner has already established near Los Angeles a clinker-grinding plant. He is importing the cement in the clinker form and grinding it at the seaport. This is an advantageous method for the importer to use. The cement clinker is not susceptible to shipping damage, and in this form the process of manufacture is more than 90 per cent completed, the actual grinding of the clinker being a mechanical process requiring very little labor. This plant is now bringing in clinker in additional quantities, and will be very disastrous to the mills on the western coast unless the American manufacturer is given at least a small measure of duty.

In concluding, I want to put in the RECORD the economic contributions of the United States cement industry. They are as follows:

Number of mills.....	158
Capital value.....	\$643, 642, 300
Production in 1927 (barrels).....	173, 206, 513
Wage earners.....	36, 325
Wages paid.....	\$53, 565, 356
Total pay roll, including salaries.....	\$65, 836, 814
Materials purchased.....	\$165, 205, 323
Wage earners supported in other industries.....	47, 624
Wages paid to other industries.....	\$70, 066, 362
Total wages, cement and other industries.....	\$123, 631, 418
Total wage earners supported.....	83, 949

Therefore the total wage contribution to national pay rolls is \$123,631,418, paid to 83,949 workers, or an average of 71 cents per barrel. This represents labor charges for manufacture and delivery of cement to the consumer, and in contribution for which the American cement industry is directly and solely responsible.

The mill at Manheim, W. Va., was built about the year 1900 or 1901. The mill went into receivership, passing through bankruptcy several times, until it was purchased by the Alpha Portland Cement Co. in 1909. They remodeled and reconstructed the mill and operated it successfully until the World War. Due to the war, and since that time due to some other causes, there has been a continual shrinkage in the output of that plant. There is an investment of approximately two and one-half million dollars with a capacity of 1,000,000 barrels annually. There are employed, when the mill is running at full

capacity, about 250 men, and that is the only industry contributing to the support of the towns of Manheim and Rowlesburg.

Another mill located near Martinsburg, W. Va., represents at least as much investment and as much employment of labor as the mill at Manheim, W. Va.

The manufacture of cement within the State of West Virginia is covered by these two plants, but the success of the seaboard Portland-cement industry is of extreme importance to the State of West Virginia. In the manufacture of cement there is required a high-volatile gas coal for burning cement. This coal is mined in abundance in the State of West Virginia, and most of the coal consumed in the large cement manufacturing sections of Pennsylvania, New Jersey, Maryland, and New York State comes from the State of West Virginia. The estimate of shipments for such purposes would amount to at least 2,000,000 tons annually.

Mr. McMASTER. Mr. President, will the Senator yield?

Mr. HATFIELD. I yield.

Mr. McMASTER. The Senator states that the West Virginia mills are having trouble. Is that because of foreign competition?

Mr. HATFIELD. Not because of foreign competition directly, possibly, but due to the lack of demand in the interior of that section, which possibly could be relieved were it not for the importations of cement from beyond the seas.

Mr. McMASTER. In other words, if the price is raised in the East and foreign cement is excluded that will help the West Virginia mills?

Mr. HATFIELD. That is my judgment.

Mr. McMASTER. That is, they will get a bigger price for cement?

Mr. HATFIELD. Not so. I do not believe there is any combination among the 159 cement producers of this country. I think they are honest, fair Americans, and their income-tax reports will show that they are entitled to some consideration.

Mr. COUZENS. Mr. President, because of the fact that some of our good friends in the press gallery have challenged the motives of Senators, I thought I might say a word with respect to my position on the vote to be taken on the cement tariff.

When the question of cement was being considered before I voted against the proposed duty of 8 cents per hundredweight. Since that time the Senate, on March 4, repealed all the countervailing duties, which took off the 8-cent duty we had against Canada, which greatly affects the mills in Michigan and all along the border.

Another reason for voting for the pending amendment, of course, is the fact that the rate now proposed is 25 per cent less than the rate previously proposed.

I desired to make this explanation. I am not going to take up the time of the Senate to make an argument, but I wanted to give the reasons for voting for the amendment, notwithstanding what the press boys may say about it.

I am sending to the desk a letter which I will ask to have read. While this letter is not exactly related to the question before us, it has a bearing, in view of the fact that so much has been said about unemployment. I ask that the letter be read.

The PRESIDENT pro tempore. The clerk will read.

The legislative clerk read as follows:

DETROIT, MICH., March 5, 1930.

Attention Senator COUZENS.

To the UNITED STATES SENATE,

Washington, D. C.

HONORABLE GENTLEMEN: An article appeared in the Detroit News of yesterday saying "COUZENS urges cash for veterans," and states further that several Senators spoke in favor of such action. We, the veterans, hope that action will be taken at once, for waiting even an extra day seems a long time when one had nothing to eat for a week.

I say "we" because I believe that what I say is the very attitude in the mind of every veteran whose family is in dire need of food and other necessities of life; and I am sure that if this letter was read in the Senate it would let these men know just what we think of those who would oppose the passage of this bill at this time.

If there is a cause which deserves Government attention at once, this is the one, and anyone who thinks that the veterans are getting a present when they are given this bonus should step into a uniform and take his post in the front-line trenches and face the ordeal we had to go through; one hour of this will convince him that there is not enough money in this world to pay a man to undertake such a task. The great mass of the American people recognize the service which the veterans have rendered to our country and are in favor of paying the bonus now and give the veteran that which he is entitled to while he is still alive to enjoy it and to keep his family from want of food and other comfort.

It should be remembered that we are private citizens now and have a right to vote. There is no censor on our mail now, and we can think and read and act just like any other citizens. All of us read the press and learn that hundreds of millions of dollars are being appropriated to enforce prohibition; also, money is being loaned to foreign countries. This prohibition and the tariff seem to take all the time of the Congress and Senate, and while these men are arguing over the question of whether a citizen can drink beer or not the veterans are waiting and hoping for action. Any sane person knows that the paying of the bonus would not only relieve the suffering of the veterans but would benefit the whole country during this depression.

The press is full of reports of Bolshevik propaganda in this country and that the Russian Government is spending money to spread communism in America. There may be some truth in this; but we of the working class know that when depression comes and we want work to support our families, and if any attempt is made by the workmen to get together and ask for a chance to make a living, he is called a red, I. W. W., and a communist. If communism is spreading in America to-day, who is responsible for its cause? The manufacturers and capital in general are more interested in record production and dividends than they are in the welfare of the workingman, who, through his labor and purchasing power, has created the fortunes of these large corporations.

We of the veterans' class do not believe in communism and would be the first to take up arms against any such uprising. You of the Senate and Congress should realize that you may need our service again some time, and the best way to be sure of united support from us in case of emergency would be to give us our bonus now, when we need it—and we believe we are entitled to it—then when the need of our services arise, whether it is to suppress communism or anything else which endangers the liberty of the American people, we will be ready and anxious to respond.

It should be borne in mind that while it is possible for the Government to draft men into the Army in time of need, and that the President and War Department can have their commands executed by millions of soldiers in the field of battle, it can not control the thought in the mind of one single soldier or citizen. A war is won only through teamwork on the part of the soldiers and citizens, and likewise an election is won by the unity of mind of the voters. When the people of the United States find that the Republican Party does not function to the best advantage of the people they will elect a new party; the ballot is the protection of the American voter.

We, the veterans, know that if the Congress and Senate of the United States wanted to they could pass this bill at once, and the veterans could be getting their bonus cashed within a week. If you gentlemen want to know how many of us feel, just stop eating for a few days and imagine that you can not obtain food unless this bill is passed. I am sure that after a few days you will be ready to dig right in and avoid all present red tape and delay.

There is always some Senator or Congressman suggesting investigations; if any investigation is taken it should be in the homes of some of the veterans out of work; there you will find plenty of human reason to pass this bill. There is no need of any such waste of time. The veterans need it and the Government can easily find ways and means to pay it, as Senator COUZENS said, by issuing a 15-year bond, which will soon be absorbed by men looking for tax-free investment, I am sure.

I am forwarding this message in care of our Michigan Senator, Mr. COUZENS, and hope that he will read it to the Senate. This will give you an idea of what we expect of you at this time. When we were fighting in France, you expected us to win the war; we have done our part well, and now is your chance to prove that we are remembered.

Thanking Senator COUZENS for his kind service on our behalf, and hoping that my humble effort will not be in vain, I am an ex-service man.

HENRY L. MORIN,

240 Hendrie Avenue, Detroit, Mich.

Mr. LA FOLLETTE. Mr. President, in view of the fact that the letter presented by the Senator from Michigan [Mr. COUZENS] will appear in the RECORD, I would also like to have printed at this point in the RECORD an editorial from the Baltimore Sun of Thursday, March 6, dealing with the problem of unemployment.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The editorial is as follows:

[From the Baltimore Sun, Thursday morning, March 6, 1930]

LOW-DOWN BUSINESS

In dealing with the present unemployment situation the Hoover administration has a signal opportunity to demonstrate that its much-touted scientific attitude in dealing with problems of government is not political flim-flam with a fancy label. An appropriate first step would be to issue a contrite apology for allowing the buncombe just put out by Secretary Davis to be identified with the administration.

To begin with, Secretary Davis does not know how many unemployed there are. He thinks about 3,000,000, but he may be one or two mil-

lion off, because there are no reliable figures. Therefore, he does not have the first requirement to make a scientific appraisal of the problem—a knowledge of what it is. Not having that information, his statement that "by its actions and policies, the administration has held unemployment to less than half that of previous crashes" is pure balderdash.

The last time there was a serious economic reversal—in 1920-21—the best estimates of a volume of unemployment, prepared by a committee of scientists called for that purpose, carried a warning that there might be a margin of error as much as 1,500,000. None the less, Mr. Davis, comparing this unknown quantity with the present unknown volume of unemployment, concludes that the Hoover administration has done twice as well as is customary. Could there be a more complete exposition of bunk than the manipulation of two unknowns into a definite conclusion?

Furthermore, if Secretary Davis knew about the volume of unemployment now, and following "previous crashes," which he does not, his comparisons of administration accomplishments at two or more widely divergent periods would have very limited validity. The economic conditions confronted at any two periods are never the same, and to glibly compare accomplishments in overcoming unemployment in 1921, 1914, 1893, or any other period of business depression with those in 1929-30 is the shoddiest kind of procedure. Incidentally, it should be noted that such a statement, if it has any validity, would be the gravest commentary on either the veracity or good judgment of Mr. Hoover and his business stabilizers, who have consistently treated the present economic setback as an external eruption on a very sound economic body. To compare measures to cope with unemployment at this time with those after past "crashes" completely undercuts this treatment of the situation.

Besides indulging in comparisons that are palpably invalid, Mr. Davis displays such a complete lack of regard for scientific integrity as to assign as the principal reason for the present volume of unemployment, delay in enacting the tariff law. "Above all," he says, "the workers of the country need the passage of the tariff law to remove uncertainty and allow the workers to make in our own factories the hundreds of millions of dollars' worth of goods now coming in by imports." To what goods does Mr. Davis have reference? The last that was heard of the import situation was from Senator WATSON, who, after attending a recent White House breakfast, said that he had gathered that delay in enacting the tariff was holding up imports, cutting down customs revenues, and thus causing concern over the possibility of excessive Federal appropriations.

As a matter of fact, there has been no particular delay in dealing with the tariff. Even Senator FESS, of Ohio, who is reputed to lie awake nights thinking up panegyrics for the administration, said as much at about the same time Secretary Davis was proclaiming delay as the major cause of unemployment. But even if the tariff were very greatly delayed there is not a reputable economist in the country who would claim the delay is a primary cause of the present unemployment situation. Secretary Davis tosses off such a generalization, however, without the slightest bit of supporting evidence.

Because this is such a fragile and superficial notion it is surprising that, merely as a matter of political buck passing, the administration should let Secretary Davis advance it. It may be accepted quite generally as a promise that when the tariff is completed there will be jobs all around. The tariff bill may be completed shortly. When it is the administration will be out on a nice long limb. It may be rescued by a general economic recovery over which it has little control, or it may be left out there. At any rate, the chances involved are such that, as a political dodge, the linking of unemployment with tariff delay at this time seems a dangerous and hence stupid performance.

Mr. Hoover has a pretty good idea of the major causes of unemployment at this time, or, if not, there are men all around him in Government departments who can help him to an understanding. They know that the present tariff situation is a mere incident in the working out of a very complicated set of economic forces which is sometimes roughly labeled as the business cycle. By using his office to convey some enlightenment on this subject, he could make a vital contribution to progress in at least understanding if not controlling this thing. When he allows Secretary Davis to peddle such palpable hokum about unemployment, he not only trifles with the most serious problem the Nation has but he is also untrue to anything approaching an ideal of scientific integrity in dealing with problems of government. It is a low-down business.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from New Jersey [Mr. KEAN] to the amendment made as in Committee of the Whole.

Mr. NORRIS. Mr. President, it is not my intention to delay the vote or to discuss at any length the pending question, because it has been so fully discussed on a prior occasion. However, I can not permit to pass without some comment the incident which occurred when the junior Senator from Michigan [Mr. VANDENBERG] had the floor and was delivering an eloquent address in favor of the duty on cement. He was asked a question by the Senator from North Dakota [Mr. NYE] during that

eloquent plea. When the Senator from Michigan had told so beautifully how the cement men had been shorn of the countervailing duty, what a terrible thing it was that the Senate had already taken it out of the bill, and that that was the reason why a Senator should change his vote, and that that was one of the great reasons why we should vote for the amendment, the Senator from North Dakota asked him this question:

Mr. NYE. I would like to ask the Senator from Michigan if he opposed the move to abandon the countervailing duty on cement?

Mr. VANDENBERG. I certainly did.

Senators will remember that he delivered that answer with such emphasis and such vehemence that he struck the desk where he stood, and the resounding noise went to the farthest corners of the Chamber and into the corridors. I believe if we would examine it, we would find that the Senator in the enthusiasm of his protest against the repeal of the countervailing duty has probably damaged or at least cracked one of the desks in this Chamber.

It is interesting to look over the RECORD and see how earnestly the junior Senator from Michigan, representing the cement tariff men, did protest against the repeal of the countervailing duty. Senators who are interested will find that this action of the Senate was taken on the 4th day of March. It will be found on page 4690 of the RECORD, as follows:

Mr. SMOOT. Mr. President, the amendment on page 252 has already been agreed to.

That was the amendment that put a countervailing duty on cement. That was adopted on the 31st day of January. Senators will find that it was adopted without any debate and will find it in the RECORD, as I said, on page 4690.

Mr. SMOOT. The amendment on page 252 has already been agreed to.

That related to the countervailing duty.

I ask unanimous consent that the vote whereby the amendment was agreed to may be reconsidered.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the vote by which the amendment referred to by the Senator from Utah was agreed to is reconsidered.

Mr. SMOOT. I send to the desk an amendment to the amendment.

The PRESIDING OFFICER. The Senator from Utah offers an amendment to the amendment, which will be stated.

The LEGISLATIVE CLERK. In the amendment on page 252, after line 21, putting cement on the free list, it is proposed to strike out the proviso.

That is the countervailing duty contained in the proviso.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. DILL. Mr. President, I will ask to what the amendment refers?

Mr. SMOOT. It refers to cement.

Mr. DILL. Where is the provision with reference to coal?

Mr. SMOOT. That is already out, but if the Senator desires to reserve a separate vote on it in the Senate, he had better do so now.

Mr. DILL. I certainly do. I want to reserve that right. I also want to reserve the right to have a separate vote on the lumber item.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah to the amendment on page 252.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

That is all there was to it. Have Senators noticed the vehemence and eloquence and ability with which the junior Senator from Michigan protested against the repeal of the countervailing duty on cement?

Mr. VANDENBERG. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Michigan?

Mr. NORRIS. I yield.

Mr. VANDENBERG. I am sure the Senator wants to be fair.

Mr. NORRIS. Certainly.

Mr. VANDENBERG. I have carried on correspondence for at least three months with the State Department regarding countervailing duties. I believe thoroughly in countervailing duties. When the Finance Committee unanimously reported in favor of striking them out it obviously was not the time to present any effort to the contrary with any hope of success; but an amendment has been prepared which I shall offer covering the entire subject. I continue to stand, as I always have, against striking out countervailing duties.

Mr. NORRIS. I have not any doubt of that. I have not any doubt where the Senator stands. I would take his word for it at any time.

Mr. VANDENBERG. The mere fact that at that particular moment I did not interject myself into the parliamentary situation is not conclusive.

Mr. NORRIS. That is true. At that particular moment the Senator did not inject himself; but it was the moment of all moments, if he wanted to keep the countervailing duty on cement, for him to inject himself. There was the opportunity at that time. It makes no difference if for the balance of the entire year he was crying aloud for a countervailing duty, when the time came and action was to be taken the RECORD shows what happened.

Mr. President, I do not believe, unless there is some exceptional reason, that we ought to have a countervailing duty on anything. I am in full accord with the action taken by the Senate. The cement men here, who are now going to vote for a tariff on cement, never objected. They are claiming that action now as one of the reasons why we should put on this tariff. It seems to me if they were really in earnest that the same people who want a tariff on cement, and perhaps have a majority of the votes corralled on the subject, could have prevented the repeal of the countervailing duty. The amendment was adopted, as the RECORD shows, unanimously and without a single voice raised in opposition. It seems to me it comes rather late now for the cement men to give that as one of the reasons why any Senator should change his vote on this question.

Mr. WALSH of Montana. Mr. President, the House text proposes the imposition of a duty of 8 cents per hundred pounds on cement. After an elaborate debate the Senate on January 31, as the result of a yeas-and-nays vote, eliminated that provision of the bill and put Portland cement on the free list by a vote of 40 yeas to 35 nays. I ask that the record vote as taken at that time may be incorporated in the RECORD at this point.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The record vote referred to is as follows:

[Seventy-first Congress, second session, January 31, 1930]

CEMENT: ROMAN, PORTLAND, ETC.

Vote on Mr. McMASTER's amendment, as modified, to strike out the duty of 8 cents per 100 pounds on Roman, Portland, and other hydraulic cement. Mr. McMASTER's amendment, as modified, was agreed to:

The PRESIDENT pro tempore. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. The Senator from South Dakota [Mr. McMASTER] offers the following amendment, as modified by the Senator from Kentucky [Mr. BARKLEY]: On page 37, beginning in line 6, strike out the following words:

"Roman, Portland, and other hydraulic cement or cement clinkers, 8 cents per 100 pounds including the weight of the container; white."

And insert in lieu thereof the word "White," so as to make the subsection read:

"(b) White nonstaining Portland cement, 8 cents per 100 pounds, including the weight of the container."

The PRESIDENT pro tempore. The question is on agreeing to the amendment as stated, on which the yeas and nays have been ordered.

The Chief Clerk proceeded to call the roll.

Mr. McKELLAR (when Mr. BROCK's name was called). The junior Senator from Tennessee [Mr. BROCK] is unavoidably absent. He is paired with the junior Senator from Kansas [Mr. ALLEN]. If the junior Senator from Tennessee were present, he would vote "nay."

Mr. SHEPPARD (when Mr. HAYDEN's name was called). I desire to announce that the Senator from Arizona [Mr. HAYDEN], who is necessarily absent on official business in connection with the conference relating to the waters of the Colorado River, has a special pair on this vote with the Senator from Delaware [Mr. HASTINGS]. If the Senator from Arizona [Mr. HAYDEN] were present, he would vote "yea," and if the Senator from Delaware [Mr. HASTINGS] were present he would vote "nay."

Mr. ROBINSON of Indiana (when his name was called). I have a general pair with the Senator from Mississippi [Mr. STEPHENS]. I transfer that pair to the junior Senator from Idaho [Mr. THOMAS] and vote "nay."

Mr. SIMMONS (when his name was called). I transfer my pair with the junior Senator from Ohio [Mr. McCULLOCH] to the senior Senator from Nevada [Mr. PITTMAN] and vote "yea."

The roll call was concluded.

Mr. HALE. My colleague the junior Senator from Maine [Mr. GOULD] is paired on this matter. If present and allowed to vote, he would vote "nay," and the Senator from New Mexico [Mr. CUTTING] with whom he is paired, I understand, would vote "yea."

Mr. BORAH. I desire to announce that my colleague [Mr. THOMAS] is detained from the Senate on account of illness. He is paired with the Senator from Mississippi [Mr. STEPHENS] by transfer of the pair of the Senator from Indiana [Mr. ROBINSON].

Mr. HARRISON (after having voted in the affirmative). Has the senior Senator from Oregon [Mr. McNARY] voted?

The PRESIDENT pro tempore. That Senator has not voted.

Mr. HARRISON. On this vote I am paired with the senior Senator from Oregon [Mr. McNARY]. Therefore I withhold my vote. If permitted to vote, I should vote "yea."

Mr. BLEASE. I am paired with the Senator from Delaware [Mr. TOWNSEND]. I understand that if he were present he would vote "nay." If permitted to vote, I would vote "yea."

Mr. CAPPER. I wish to announce that my colleague [Mr. ALLEN] is unavoidably absent. If present, he would vote "yea."

Mr. FESS. I desire to announce the following general pairs:

The Senator from Pennsylvania [Mr. REED] with the Senator from Arkansas [Mr. ROBINSON]; and

The Senator from Colorado [Mr. WATERMAN] with the Senator from Utah [Mr. KING].

Mr. GEORGE. Upon this vote I have a pair with the senior Senator from Colorado [Mr. PHIPPS]. Therefore I withhold my vote.

Mr. SHEPPARD. I desire to announce the necessary absence of the Senator from Arkansas [Mr. ROBINSON] and the Senator from Pennsylvania [Mr. REED], who are delegates from the United States to the Naval Arms Conference in London, England. I will let this announcement stand for the day.

The result was announced—yeas 40, nays 35, as follows:

Yeas, 40: Messrs. Barkley, Black, Blaine, Borah, Bratton, Brookhart, Capper, Caraway, Connally, Couzens, Fletcher, Frazier, Glass, Glenn, Harris, Hawes, Heflin, Howell, Kendrick, La Follette, McMaster, Norbeck, Norris, Nye, Overman, Pine, Schall, Sheppard, Shipstead, Simmons, Smith, Steck, Swanson, Thomas of Oklahoma, Trammell, Tydings, Wagner, Walsh of Massachusetts, Walsh of Montana, and Wheeler.

Nays, 35: Messrs. Ashurst, Baird, Bingham, Broussard, Copeland, Dale, Deneen, Dill, Fess, Goff, Goldsborough, Greene, Grundy, Hale, Hatfield, Hebert, Johnson, Jones, Kean, Keyes, McKellar, Metcalf, Moses, Oddie, Patterson, Ransdell, Robinson of Indiana, Robison of Kentucky, Shortridge, Smoot, Steiwer, Sullivan, Vandenberg, Walcott, and Watson.

Not voting, 21: Messrs. Allen, Blease, Brock, Cutting, George, Gillett, Gould, Harrison, Hastings, Hayden, King, McCulloch, McNary, Phipps, Pittman, Reed, Robinson of Arkansas, Stephens, Thomas of Idaho, Townsend, and Waterman.

So Mr. McMASTER's amendment as modified was agreed to.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from New Jersey [Mr. KEAN] to the amendment made as in Committee of the Whole.

Mr. LA FOLLETTE. I demand the yeas and nays.

Mr. BARKLEY obtained the floor.

Mr. NORRIS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Kentucky yield to the Senator from Nebraska?

Mr. BARKLEY. I yield.

Mr. NORRIS. The first vote comes on the amendment of the Senator from New Jersey to change the rate from 8 cents to 6 cents. Probably no one will care for a roll call on that question.

Mr. BARKLEY. Mr. President, I am opposed to both the 8-cent rate and the 6-cent rate. It does not make much difference to me which comes first because I am going to vote as hard against one as I do against the other.

Mr. President, I think that more sophistry has been indulged in here to-day over the tariff on cement than I have witnessed on any one item since we have been discussing the tariff bill. We have been told that men have been out of employment in the cement industry and that undoubtedly is true. By analogy I suppose my colleague from Kentucky [Mr. ROBISON] found a remedy for that, because while the Senator from New Jersey was stating that production increased in the United States the number of employees decreased, my colleague [Mr. ROBISON] announced that the same situation existed on the railroads, for while they were hauling more freight than ever before, they were doing it with fewer men by two or three hundred thousand. I suppose the remedy for that is to levy a tariff on box cars and railroad engines and thereby put those 200,000 or 300,000 men back into employment.

As I stated when the cement item was under consideration previously, there is no industry in the United States that has expanded by leaps and bounds as has the cement industry. It has grown in production from 33,000,000 to 178,000,000 barrels since 1919, and while the industry has expanded until there are more cement plants in the United States now than ever before, totalling about 178 in 1929, compared to 161 in 1927, the value of the cement produced has also grown by leaps and bounds, so that in 1929 out of \$393,000,000 as the total value of our production, \$120,000,000 of that was left for profits and overhead expenses, which can not be equalled in any other industry in the United States unless it be the steel industry.

Mr. BORAH rose.

Mr. BARKLEY. I yield to the Senator from Idaho.

Mr. BORAH. I was merely going to say that the profits of the cement manufacturers have expanded with the expansion of their business.

Mr. BARKLEY. Yes; and while we are talking about the protection of the laboring man in the United States it might also be well to state that the percentage of wages in proportion to the value of the product has gone down 6 per cent in the last 10 years. It is true that the actual wages paid to the laboring men in the cement industry have increased, but the proportion of wages drawn by the laboring men to the total value of production has decreased in 10 years 6 per cent; and yet we are asked to take this action, which will raise the cost of construction in the United States to every man, woman, and child, and to every highway commission and to every city administration; and we are asked to do it in the interest of labor.

We imported in 1929 a little more than 2,000,000 barrels of cement, while we manufactured 178,000,000 barrels of cement, and practically all of the 2,000,000 barrels of cement which were imported came into the seaboard ports. In the city of New York alone there are consumed 12,000,000 or 13,000,000 barrels of cement every year—six times as much as we import into all the seaport towns in the United States—and yet we are asked to penalize the people in the city of New York who want to build houses and who use 13,000,000 barrels of cement a year, while we are importing into the entire United States only 2,000,000 barrels of cement annually.

The Senator from Michigan [Mr. VANDENBERG] a while ago claimed that the selling price of cement in Canada was \$1.41 a barrel and that because of that cheaper selling price in Canada, compared to what cement manufacturers say is the production cost in the United States, Canadian manufacturers could export cement to the United States. We have, however, no reliable statistics as to the cost of producing cement in the United States. The Tariff Commission has made no cost investigation. They wrote letters to all the manufacturers, and they got replies from a hundred of them, but the only figures that have been submitted here, and the only figures that are available, are the figures which are contained in the letters of those cement manufacturers in their replies to the Tariff Commission.

The Tariff Commission states that they have made no effort to check up the accuracy of those figures; that in the figures submitted by the manufacturers of cement they have included every possible and imaginary item of cost that their ingenious bookkeeping devices may invent; but, even if those figures are correct, and the manufacturers in Canada can make cement and sell it to the Canadian people for \$1.41 a barrel, they could still pay 8 cents a hundred pounds, amounting to 30½ cents a barrel, duty on it, bring it into the United States and sell it cheaper than the people of the United States have to pay their own domestic manufacturers for it; and yet, notwithstanding the fact that they could do that, there is practically none imported across the Canadian border, and we export into Canada more cement than we import from Canada, even with the countervailing duty operative and effective.

There is one little company in Pennsylvania, one of the smallest American manufacturers of cement, which has a capacity to manufacture and does manufacture more cement than is imported into the United States in a year; yet we are asked to increase the cost of construction for every householder in the United States who wants to build a home or a corner crib or to lay the foundation for a garage or a barn or an outhouse of any kind.

We are asked to levy tribute upon the highways of the United States, which very largely, under modern construction methods, consist of cement. Two or three months ago I read in a Baltimore newspaper that the State Highway Commission of the State of Maryland had bought largely their supply of cement for 1930 in order that they might get it before, possibly, a tariff was placed upon it that might increase the cost of highway construction in Maryland to the taxpayers of that State.

In the State of Kentucky we have been for the last 10 years trying to inaugurate a program of highway construction. Not only did we levy a tax upon real estate and personal property in our State in order to obtain money with which to build highways but we have levied a 5-cent-per-gallon tax upon every gallon of gasoline used in Kentucky for the purpose of raising money with which to undertake road construction. Yet we are asked to lay this burden of thirty or forty million dollars upon the American people in order to place an embargo upon cement, the total importations of which are only one-sixth of the cement used in the great city of New York.

Mr. President, we have heard much about unemployment. Where does the greatest unemployment exist? The American Federation of Labor is a fairly accurate authority on that subject, and about 10 days ago the American Federation of Labor issued a statement in which it said that unemployment

had increased in January above that in December, and that the largest percentage of unemployment in the United States existed among the building-trades unions of our country—the bricklayers, the carpenters, the joiners, the plumbers, and others who join labor organizations and who are engaged in the building of constructive enterprises in the United States. Yet, notwithstanding the fact that the American Federation of Labor makes the statement that the greatest proportion of unemployment in this country is among the bricklayers and carpenters and others who are engaged in the construction of buildings, we are asked to lay a burden here by putting a tax on cement, then on brick, and then on lumber so as to put more thousands of men out of work by increasing the cost of building a house of any character in the United States, and we are asked to do this in the name of labor.

There is another thing upon which I desire to comment while I am on the floor. We have heard a good deal of talk around here to the effect that certain Members of the Senate are going to vote for high rates in individual schedules, and then hope to square themselves with the people by voting against the bill as a whole. Every such vote is a dishonest vote, I do not care whether it is cast by a Democrat or by a Republican. If I were willing to betray the people of the United States by voting for these high rates as they come up one at a time, I would at least be sincere and vote for the whole bill after I had helped to raise its rates to an unconscionable degree. The Members of this body may think that they can hide their heads in the sand by such a procedure, but the rest of their anatomies will be in plain view.

A tariff on cement! For what purpose? In order to make it more possible and more certain that the American Cement Trust—for that is what it is—may make greater profits. They lowered the price on the 1st of last August when imports for 1929 were declining, and then, on the 1st of November, they raised prices again by the same amount by which they had lowered them on the 1st of August. That was not done by one company; it was done by all of them, working in harmony and in unison.

I do not know that it is worth while to waste time undertaking to reason with the Senate, because if a deal has been made it will go through; and if it be true, as has been charged here, that this bill was born in corruption in another body of this Congress, it seems now it is about to go back there tarnished with the same evil with which it was disfigured when it came here.

I come from a State which produces oil; the State of Kentucky is the ninth oil-producing State in the United States. I have been urged by some of the oil producers of my State to vote for a tariff on oil, and I tried to consider that question on its merits, for I appreciate fully the oil situation, and my inability to vote for this tariff no doubt disappointed some of my friends, and it might one way or another affect my ability to return to this Senate; but before I will join any unholy cabal, the result of which is to betray the American people, I would prefer to see every oil well in Kentucky closed and remain closed. I am glad to say that nobody in Kentucky has either asked or suggested that I do otherwise than consider this proposal on its merits. My vote in the Senate is not for sale on oil or anything else; and I do not propose to sell out the people of my State on sugar, lumber, cement, brick, or anything else in order to carry home a little pittance of "bacon" to dangle before the eyes of some avaricious man who desires me to use the power conferred upon me as one of the 96 Senators to enable him to warp and twist the agencies of the Government for the injury of the American people. I am proud to say that the people of Kentucky do not expect me to pursue so dishonorable a course, and if they did I would resign before I would do it. Those who have asked me to support tariff rates in which they were interested have asked only that consideration be given to them as the facts might justify, and no other course is compatible with a sense of public honor.

The PRESIDING OFFICER (Mr. McNARY in the chair). The Senator from Kentucky has exhausted his time. The question is on the amendment of the Senator from New Jersey [Mr. KEAN] to the amendment made as in Committee of the Whole.

Mr. COPELAND. Mr. President, I am much distressed over the agony of mind of my friend from Kentucky [Mr. BARKLEY]. He certainly is suffering terribly this morning! Before I say anything about cement, I desire to call his attention to the fact that I did not vote for the tariff upon sugar. I did not vote for the tariff upon oil. I did not vote for the tariff upon lumber. So, as far as the "unholy alliance" to which he refers is concerned, I am not a party to it.

My friend has dealt in glittering generalities. He has told the Senate about the dreadful things that will happen to the home builders of the United States and to the road builders of

Kentucky and elsewhere if the tariff upon cement is raised. There never will be a barrel of foreign cement taken into Kentucky; and what we do here about cement is of no importance whatever to the interior of the United States. It has to do almost exclusively with the Atlantic seaboard.

My State is fourth in the production of Portland cement. We have eleven enormous factories in my State. I do not care the snap of my finger for the corporations engaged in manufacturing the cement. I do not care whether they pay dividends or do not pay dividends; but I do care whether the men living in the Hudson River Valley, my neighbors, have work or do not have work.

Against these glittering statements made by my friend from Kentucky, I want to show the record. What is the situation as regards employment or unemployment in the cement industry?

I hold in my hand a table of two columns. One column represents the employment in Maine, New York, Eastern Pennsylvania, New Jersey, Maryland, Virginia, Tennessee, Alabama, and Georgia. The other column represents Ohio and the States in the West.

If anybody believes that there is not unemployment in the cement industry of the East, let him read these figures. Take the year 1929: Assuming 100 per cent as the normal average employment, in the eastern factories 67 per cent of the employees were at work. The employment represented 67 per cent of normal employment. At the same time in the West 86 per cent were engaged. So I compare February, with 70 per cent in the East and 82 per cent in the West; March, with 71 per cent in the East and 84 per cent in the West; and so on down to September, 70 per cent in the East and 97 per cent in the West.

Why is it that employment is normal, at the peak, in the western factories and 30 per cent below normal in the East? The reason is perfectly clear: It is because of the importations of foreign cement.

This is an issue between patriotic Americans and the welfare of the factories of Brussels and the other factories of Belgium and the factories of France—not so much of Germany in these later days. We have unemployment in the factories of my State and throughout the East because of the importations of cement from Europe.

I desire to speak about the effect of the tariff on such importations.

We had an 8-cent duty on cement from 1890, I think, down to 1913. Then cement was placed on the free list, and it has been there ever since. The moment it was placed upon the free list the war came on, and nothing was doing in international industrial exchange. As soon as the war was over, with cement upon the free list, where during the decade from 1907 to 1917 we had an average importation of about three or four hundred thousand barrels, in 1923 the importations jumped to 1,678,000 barrels, the next year to 2,000,000 barrels, the next year to three and one-half million barrels, and it has continued at a very high rate since that time.

Where has this cement gone? It has gone into the cities and into the building construction in the cities of the Atlantic seaboard.

Mr. TYDINGS. Mr. President—

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Maryland?

Mr. COPELAND. I do.

Mr. TYDINGS. I am as sure as one can be of a matter of guesswork that the cement which is imported competes only with the cement industry on the Atlantic seaboard and the Pacific coast.

Mr. COPELAND. Absolutely.

Mr. TYDINGS. But I was wondering whether or not the Senator, in his argument, had any figures which would show the ultimate destination of this cement which is imported, because I believe that those figures would show that 95 per cent of it remained on the Eastern seaboard.

Mr. COPELAND. The Senator is entirely correct. Cement, like brick, is so heavy a product that it never will be carried more than 200 miles from the source of origin. It is brought in by tramp steamer, practically as ballast, at almost no cost for freight, and landed in our seaport towns. Consequently, the cement factories in my section of the country are running 30 per cent under par. Frankly, I can not see why the Senator from Kentucky [Mr. BARKLEY] and my genial friend from Nebraska [Mr. NORRIS] and my friend from North Dakota [Mr. NYE] should be so agitated about a problem that does not concern them to the extent of 30 cents a year. It is a matter of no importance outside of the seaboard itself.

I was surprised to hear the statement made by the Senator from North Dakota [Mr. NYE]. He said somebody had told him that we should not place a tariff upon cement because it

would interfere with certain unions whose members load and unload ships in New York.

The same argument could be used in favor of putting everything upon the free list, in order that everything we might buy in Europe could be brought in here and handled by the longshoremen in New York. I know these longshoremen too well to believe that if they thoroughly understood the significance of this statement, they would urge it as an argument in this connection. They are human beings. They have to work with their hands. They know what deprivation means. They know what human suffering is when there is unemployment; the longshoremen do not want their brethren engaged in another industry to be without work. I am sure that they did not understand the significance of the statement they were making when they sent this word to the Senator from North Dakota.

Mr. NYE. Mr. President—

The PRESIDING OFFICER (Mr. FESS in the chair). Does the Senator from New York yield to the Senator from North Dakota?

Mr. COPELAND. I do.

Mr. NYE. I hope the Senator is not putting words into my mouth in connection with what I said with relation to the telegram sent by the longshoremen's union this morning. What I said was that from a labor standpoint it was a question of whether we would perform the greater service for labor in the case of cement by leaving off a duty or putting it on. The argument had been made, and I was attempting to meet that argument, that the absence of a duty would lay off a great many men from work in the cement industry.

Mr. TYDINGS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from New York further yield to the Senator from Maryland?

Mr. COPELAND. I do.

Mr. TYDINGS. Has the Senator before him the figures as to the proportion of cement which is imported to the cement which is produced in America?

Mr. COPELAND. Last year we imported 1,700,000 barrels, and produced 170,000,000 barrels.

Mr. TYDINGS. And has the Senator the approximate figures of the amount of cement produced in the Atlantic seaboard States?

Mr. COPELAND. I do not happen to have those figures at this moment.

Mr. TYDINGS. It would be safe to assume, I imagine, that perhaps 20 or 25 per cent of the cement produced in America came from the Atlantic seaboard States.

Mr. COPELAND. I should think so.

Mr. TYDINGS. So what would really happen is that in order to give to the longshoreman the handling of 1 per cent of the cement, 20 per cent of the cement would probably be put out of business, because it would not be able to compete with the European importation. It seemed to me, carrying the transportation argument a little further, that those employed on the railroads of the country and the people who handle the cement produced in America would about offset the longshoremen who handle the cement coming in on the steamships; but, nevertheless, aside from the mere handling of the cement, where one class of workmen offsets the other, the production of cement on the Atlantic seaboard would be seriously curtailed and men would be thrown out of work.

Mr. COPELAND. The Senator is right.

Mr. President, how much time have I left?

The PRESIDING OFFICER. The Senator has two minutes left.

Mr. COPELAND. I wish to call attention to a further fact. The cement that comes in from abroad comes in hemp bags, burlap bags. That which is shipped in our country is carried in cotton bags. Last year the cement industry bought 60,000,000 cotton bags, at a cost in excess of \$6,000,000. I speak of that merely as an incidental, to show that whatever proportion of cement is developed in our eastern country, if it is replaced by foreign cement, that much sale of cotton bags is lost.

Mr. President, I have only one interest in this matter and that is the human interest. I know from observation what poverty is. I live in a section of the country where we have a great deal of it, and I know the suffering of these people. When we decline to give protection upon this product we are helping to make permanent the unemployment of 30 per cent of the men who are properly engaged in the industry. Because of that fact I beg the Senate to think of the human side of this matter.

As I said, I am not interested in the corporations. I do not care what their revenue is or what their profits may be; but I am interested in having the 11 great factories, employing thousands of men in my State as well as in the other States of the Union, continued in employment, as they can be if this tariff is provided.

The PRESIDING OFFICER. The question is on the amendment of the Senator from New Jersey [Mr. KEAN].

Mr. WALSH of Massachusetts. I call for the yeas and nays.

Mr. McKELLAR. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Frazier	Keyes	Shortridge
Ashurst	George	La Follette	Simmons
Baird	Glass	McCulloch	Smith
Barkley	Glenn	McKellar	Smoot
Bingham	Goff	McMaster	Steck
Black	Goldsborough	McNary	Stelwer
Blaine	Gould	Metcalf	Stephens
Bleaser	Greene	Moses	Swanson
Borah	Grundy	Norbeck	Thomas, Idaho
Bratton	Hale	Norris	Thomas, Okla.
Brock	Harris	Nye	Trammell
Broussard	Harrison	Oddie	Tydings
Capper	Hastings	Overman	Vandenberg
Caraway	Hatfield	Patterson	Wagner
Connally	Hawes	Phipps	Walcott
Copeland	Hayden	Pine	Walsh, Mass.
Couzens	Hebert	Pittman	Walsh, Mont.
Cutting	Heflin	Ransdell	Waterman
Dale	Howell	Robinson, Ind.	Watson
Dill	Johnson	Robison, Ky.	Wheeler
Fess	Jones	Schall	
Fletcher	Kean	Sheppard	

The PRESIDING OFFICER. Eighty-six Senators have answered to their names. A quorum is present.

The question is on agreeing to the amendment of the Senator from New Jersey.

Mr. HALE. I ask for the yeas and nays.

Mr. WALSH of Massachusetts. Mr. President, before this vote is taken, I would like to ask the Senator from Kentucky a question. In the event of this duty becoming effective, what is the amount estimated to be the increase in the cost of a barrel of cement?

Mr. BARKLEY. If the tariff is effective, it will be 31 cents a barrel.

Mr. WALSH of Massachusetts. That is the tax alone?

Mr. BARKLEY. Yes.

Mr. WALSH of Massachusetts. Is it not probable that the net cost to the consumer would be double that?

Mr. BARKLEY. It is estimated that, adopting the general rule of percentages, based upon the cost of cement, including the tariff, the increased cost would run anywhere from 60 cents to 75 cents a barrel.

Mr. WALSH of Massachusetts. So that we are dealing with a question of levying a duty which will mean an increased cost to the American consumer of between 60 and 75 cents a barrel upon cement?

Mr. BARKLEY. Absolutely.

Mr. WALSH of Massachusetts. I am ready for the vote.

Mr. BARKLEY. A parliamentary inquiry.

The VICE PRESIDENT. The Senator will state his inquiry.

Mr. BARKLEY. There are two propositions. The basic proposition is whether we shall concur in the action taken as in Committee of the Whole in striking out the tariff on cement. The Senator from New Jersey has offered an amendment, the effect of which is to reinsert this language, substituting 6 cents instead of 8 cents. Which vote comes first?

The VICE PRESIDENT. The question is on the amendment of the Senator from New Jersey.

Mr. BARKLEY. In the event that the amendment should be adopted, what then would be the status?

The VICE PRESIDENT. The question would have to be submitted to the Senate as to whether they would ratify the action.

Mr. BARKLEY. There would have to be two votes on it, in any case?

The VICE PRESIDENT. Yes.

Mr. HARRISON. Mr. President, I ask unanimous consent, in that event, that the first vote may come on whether the Senate shall concur in the action taken as in Committee of the Whole.

Mr. McKELLAR. Oh, no, Mr. President; why not let it come on the amendment? I object.

Mr. FESS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state his inquiry.

Mr. FESS. There will be some confusion in the vote on the amendment as amended in case that is amended. If the amendment of the Senator from New Jersey is carried, that will result in bringing before the Senate the action of the Senate as in Committee of the Whole as modified by the amendment. Then, when the vote comes on the amendment as amended, an affirmative vote would be to retain cement on the free list, while a negative vote would be to put it on the dutiable list.

The VICE PRESIDENT. The Senator is right.

Mr. BARKLEY. In the event the amendment of the Senator from New Jersey is defeated, then there would come a vote on the original action as in Committee of the Whole to strike the language out.

The VICE PRESIDENT. To concur in the amendment made as in Committee of the Whole.

Mr. NORRIS. Mr. President, I do not believe, from what I gather, that Senators would care for a yeas and nays vote on the motion of the Senator from New Jersey, and I ask unanimous consent that if an order has been made for the yeas and nays on the amendment of the Senator from New Jersey, it be canceled.

The VICE PRESIDENT. The yeas and nays have not yet been ordered. There has been a demand for the yeas and nays, and, of course, the Chair will have to put the question as to whether the demand for the yeas and nays is sufficiently seconded. Is the demand seconded?

The yeas and nays were ordered.

Mr. SMOOT. Let the amendment be stated, so that all will understand it.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from New Jersey, to strike out "8 cents" and to insert in lieu thereof "6 cents."

The Chief Clerk proceeded to call the roll, and Mr. ALLEN responded in the affirmative.

Mr. HARRISON. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. HARRISON. As I understood it, the action as in Committee of the Whole was to put cement on the free list. That is true, is it not?

The VICE PRESIDENT. It is.

Mr. HARRISON. Now, the Senator from New Jersey offers a motion to make the rate 6 cents. Then those who are against making the rate 6 cents will vote "nay." Those who want to vote to keep cement on the free list and maintain the action taken as in Committee of the Whole will vote "nay" on this amendment offered by the Senator from New Jersey?

The VICE PRESIDENT. Certainly. An affirmative vote would be to make the rate 6 cents and a negative vote would be to put cement on the free list, in accordance with the vote taken as in Committee of the Whole. Then, after the vote is had on that amendment, the question will be as to whether or not the Senate will concur in the amendment made as in Committee of the Whole.

Mr. NORRIS. That is what I understood. Now we are voting between 8 cents and 6 cents?

The VICE PRESIDENT. That is the vote.

Mr. NORRIS. That is the only thing involved in this vote.

Several Senators addressed the Chair.

The VICE PRESIDENT. The Senator from Virginia is recognized.

Mr. SWANSON. As I understand it, this question does not come on the text of the bill. It comes up on an amendment made as in Committee of the Whole, which was to put cement on the free list. Is that true?

The VICE PRESIDENT. The Senator from New Jersey is exercising his right to perfect the provision as it came over from the House of Representatives.

Mr. SWANSON. I was going a stage farther. To the amendment made as in Committee of the Whole putting cement on the free list, the Senator from New Jersey offers an amendment providing for a duty of 6 cents, as a substitute for the other amendment. The vote is to be taken on that, then the question will be whether the amendment as amended shall be concurred in.

The VICE PRESIDENT. The Senator is mistaken about that.

Mr. NORRIS. Mr. President, I want to ascertain whether my view is correct, so that I may understand how to vote.

The amendment made, as in Committee of the Whole, was to strike out a certain provision of the bill. The matter now comes before the Senate as to whether we shall concur in the action taken as in Committee of the Whole. The part stricken out, before we vote on the motion to concur, is itself subject to amendment. If a Senator moves to strike out a paragraph before a vote is taken on that, any Senator has a right to amend the paragraph sought to be stricken out, and we vote on that amendment first. That is what we are about to do now.

The VICE PRESIDENT. That is correct.

Mr. NORRIS. The only question is whether we are going to make the tax 6 cents instead of 8 cents, and no matter which way we decide that question, there will follow then the vote as to whether we will put cement on the free list or leave it at the rate fixed.

The VICE PRESIDENT. That is correct.

Mr. BRATTON. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. BRATTON. The question that is to be voted on is whether the rate shall be 8 cents, as fixed in the House text, or 6 cents, as proposed in the amendment.

The VICE PRESIDENT. That is the first vote.

Mr. BRATTON. An affirmative vote means 6 cents a pound and a negative vote means 8 cents.

The VICE PRESIDENT. That is correct.

Mr. HARRISON. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. HARRISON. Will the Chair then inform the Senate why it was that as in Committee of the Whole, when we reached the sugar schedule, we adopted an amendment to make the rate 1.76 a pound on Cuban sugar as against the 2.20 cents, as was recommended by the committee, and an amendment was offered to the action as in Committee of the Whole, namely, to increase the rate from 1.76 cents to 2 cents as to Cuban sugar?

It seems to me that since, as in Committee of the Whole, we struck out the duty on cement recommended by the Committee on Finance and as incorporated in the bill, and put cement on the free list, the question now ought to come on whether or not we are for free cement or for the 6-cent duty, because the Senator from New Jersey is not offering an amendment as to 8 cents a hundred but he is offering an amendment as between 6 cents a hundred and the free list.

Mr. JOHNSON. Mr. President, I submit that the Senator from Mississippi is entirely correct. The vote that comes now is between the action taken as in Committee of the Whole and the amendment that is presented by the Senator from New Jersey. No longer before the Senate is the proposition found in the original bill in paragraph 205, because the Senate, as in Committee of the Whole, struck it out, and cement, under the action taken as in Committee of the Whole, is now upon the free list. The Senator from New Jersey, in order to remedy that, in his opinion, presents an amendment making the rate 6 cents. So the vote comes upon the amendment of the Senator from New Jersey as between what has been done as in Committee of the Whole and that amendment.

The VICE PRESIDENT. The Chair will hold the other way. The Chair holds that the first vote is upon the amendment proposed by the Senator from New Jersey changing the rate from 8 cents to 6 cents.

Mr. HARRISON. On that I appeal from the ruling of the Chair.

The VICE PRESIDENT. Then, the question will come as to whether or not the Senate will concur in the amendment, whichever way it is, whether it is as made as in Committee of the Whole, or according to the motion of the Senator from New Jersey.

Mr. SWANSON. Mr. President, until I went to the desk and looked into the matter, and saw what was pending, I had the idea that the Chair was wrong. But the issue is this, Shall we substitute the amendment of the Senate made as in Committee of the Whole, which was to put cement on the free list, for the text in the bill as it came from the House, under which the rate was 8 cents? Before we vote on that question the text may be perfected, and the Senator from New Jersey offers to perfect the text before we vote as to whether we will concur in the amendment made as in Committee of the Whole. Consequently we always perfect the text before we take a vote to strike it out. I thought the Vice President was wrong until I saw that the motion is as he stated it, that what was agreed to in Committee of the Whole, to strike out the text, be concurred in. We treat the matter in Committee of the Whole precisely as we do in the Senate and consequently the question comes here like it did in Committee of the Whole. If that question had been pending in Committee of the Whole we would have had to perfect the text before the motion to strike out the provision could be considered.

Mr. BARKLEY. Mr. President, if, instead of striking out—

Mr. BLACK. Mr. President, a point of order.

The VICE PRESIDENT. The Senator will state the point of order.

Mr. BLACK. I understood the Chair to order the roll to be called.

Mr. McKELLAR. And one vote was cast. I think the junior Senator from Kansas [Mr. ALLEN] cast his vote, and I make the point of order that the roll call can not be interfered with.

Mr. BLACK. I make the point of order that all this discussion is out of order.

The VICE PRESIDENT. It is all out of order, and the clerk will proceed to call the roll.

Mr. HARRISON. Certainly we are entitled to know on what we are voting.

The VICE PRESIDENT. The Chair states again that the vote is on the amendment of the Senator from New Jersey to strike out "8 cents" and insert "6 cents." If that motion is agreed to, then the question is on concurring in the amendment made as in Committee of the Whole, striking out the language as amended.

Mr. HARRISON. Is it too late to make a point of order?

The VICE PRESIDENT. It is too late. The yeas and nays have been ordered, and one Senator has answered to his name.

Mr. ALLEN. Mr. President, I desire to withdraw my vote.

The VICE PRESIDENT. The Senator can not do that. The clerk will proceed to call the roll.

The Chief Clerk resumed the call of the roll.

Mr. GOULD (when his name was called). On this vote I have a general pair with the junior Senator from Utah [Mr. KING]. I transfer that pair to the junior Senator from Wyoming [Mr. SULLIVAN] and vote "yea."

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from Illinois [Mr. DENEEN], and therefore withhold my vote. If I were permitted to vote, I would vote "yea."

Mr. SIMMONS (when his name was called). I have a pair with the senior Senator from Massachusetts [Mr. GILLET]. I am not able to obtain a transfer, and therefore withhold my vote.

Mr. THOMAS of Idaho (when his name was called). I have a pair with the junior Senator from Iowa [Mr. BROOKHART]. I therefore withhold my vote.

The roll call was concluded.

Mr. FESS. I wish to announce that the Senator from Pennsylvania [Mr. REED] has a general pair with the Senator from Arkansas [Mr. ROBINSON].

The result was announced—yeas 78, nays 2, as follows:

YEAS—78

Allen	Frazier	Kean	Shortridge
Ashurst	George	Keyes	Smith
Baird	Glass	La Follette	Smoot
Barkley	Glenn	McCulloch	Steck
Bingham	Goff	McKellar	Steiner
Black	Goldsborough	McMaster	Stephens
Blaine	Gould	McNary	Swanson
Borah	Greene	Metcalf	Thomas, Okla.
Bratton	Grundy	Moses	Trammell
Brock	Hale	Norris	Tydings
Broussard	Harris	Nye	Vandenberg
Capper	Hastings	Oddie	Wagner
Connally	Hatfield	Patterson	Walcott
Copeland	Hawes	Phipps	Walsh, Mass.
Couzens	Hayden	Pine	Walsh, Mont.
Cutting	Hebert	Ransdell	Waterman
Dale	Heflin	Robinson, Ind.	Watson
Dill	Howell	Robson, Ky.	Wheeler
Fess	Johnson	Schall	
Fletcher	Jones	Sheppard	

NAYS—2

Blease Norbeck

NOT VOTING—16

Brookhart	Harrison	Pittman	Simmons
Caraway	Kendrick	Reed	Sullivan
Deneen	King	Robinson, Ark.	Thomas, Idaho
Gillett	Overman	Shipstead	Townsend

So Mr. KEAN's amendment to the amendment made as in Committee of the Whole was agreed to.

The VICE PRESIDENT. The question now recurs on concurring in the amendment made in Committee of the Whole, as amended, which is to strike out the words "(b) Roman, Portland, and other hydraulic cement or cement clinker, 6 cents per 100 pounds, including the weight of the container, white," and insert the word "White." The effect of a "yea" vote is to keep cement on the free list. The effect of a "nay" vote is to put it back on the dutiable list at 6 cents per 100 pounds.

Mr. McKELLAR. Let us have the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. GOULD (when his name was called). I have a general pair with the junior Senator from Utah [Mr. KING]. I transfer that pair to the junior Senator from Wyoming [Mr. SULLIVAN] and vote "nay."

Mr. OVERMAN (when his name was called). Again announcing my pair with the senior Senator from Illinois [Mr. DENEEN], I withhold my vote. Were I permitted to vote I would vote "yea."

Mr. SIMMONS (when his name was called). Again I announce my pair with the senior Senator from Massachusetts [Mr. GILLET] and my inability to secure a transfer. I therefore withhold my vote. Were I at liberty to vote I would vote "yea."

Mr. THOMAS of Idaho (when his name was called). On this vote I have a pair with the junior Senator from Iowa [Mr. BROOKHART]. If he were present, he would vote "yea." If I were at liberty to vote, I would vote "nay."

The roll call was concluded.

Mr. FESS. I desire to announce that the Senator from Pennsylvania [Mr. REED] has a general pair with the Senator from Arkansas [Mr. ROBINSON].

Mr. SHEPPARD. On this vote the Senator from Nevada [Mr. PITTMAN] is paired with the Senator from Minnesota [Mr. SHIPSTEAD]. If present and voting, the Senator from Nevada [Mr. PITTMAN] would vote "nay," and the Senator from Minnesota [Mr. SHIPSTEAD] would vote "yea."

Mr. NYE (after having voted in the affirmative). Mr. President, for the purpose of later moving a reconsideration, I change my vote from "yea" to "nay."

Mr. HASTINGS. The junior Senator from Delaware [Mr. TOWNSEND] has a pair with the senior Senator from Wyoming [Mr. KENDRICK]. If present and permitted to vote, the junior Senator from Delaware would vote "nay," and the senior Senator from Wyoming would vote "yea."

The result was announced—yeas 37, nays 45, as follows:

YEAS—37

Allen	Cutting	Heflin	Stephens
Barkley	Fletcher	Howell	Swanson
Black	Frazier	La Follette	Thomas, Okla.
Blaine	George	McMaster	Trammell
Blease	Glass	Norbeck	Walsh, Mass.
Borah	Glenn	Norris	Walsh, Mont.
Bratton	Harris	Schall	Wheeler
Capper	Harrison	Sheppard	
Caraway	Hawes	Smith	
Connally	Hayden	Steck	

NAYS—45

Ashurst	Gould	McKellar	Shortridge
Baird	Greene	McNary	Smoot
Bingham	Grundy	Metcalf	Stelwer
Brock	Hale	Moses	Tydings
Broussard	Hastings	Nye	Vandenberg
Copeland	Hatfield	Oddie	Wagner
Conzens	Hebert	Patterson	Walcott
Dale	Johnson	Phipps	Waterman
Dill	Jones	Pine	Watson
Fess	Kean	Ransdell	
Goff	Keyes	Robinson, Ind.	
Goldsborough	McCulloch	Robison, Ky.	

NOT VOTING—14

Brookhart	King	Robinson, Ark.	Thomas, Idaho
Deneen	Overman	Shipstead	Townsend
Gillett	Pittman	Simmons	
Kendrick	Reed	Sullivan	

So the amendment made as in Committee of the Whole was nonconcurrent in.

Mr. NYE. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. NYE. Speaking specifically upon the question of the duty on sugar, having recorded a vote in the affirmative on day before yesterday, I should like to inquire when I must move for a reconsideration of the vote if I so desire?

The VICE PRESIDENT. To-day is the last day on which the Senator may make that motion.

Mr. NYE. Then, Mr. President, I am forced at this time to remark that none are so blind as those who will not see. I listened with great attentiveness to the debate that was occasioned here during the controversy regarding the duty on sugar, and I heard accusations made that a trade had been entered into whereby sugar and other items were to be placed on the dutiable list, all with higher rates. I thought at the time of that controversy I saw some evidence of such an agreement, such an understanding, as some men were charging, and yet I felt that the case of sugar was one of such a thoroughly meritorious nature that when confronted with the task of having to determine my own vote I voted for a higher duty on sugar. I was consistent in that vote. Upon the previous test on sugar I had voted for the proposed increased duty on sugar. So I was not reversing myself in any manner by reason of that second vote.

However, since that time I have come more clearly to appreciate and more clearly to see the possibilities that lie in the so-called sugar vote. Perhaps I am too late; if I shall move reconsideration at this time, to remedy the damage that has been done, perhaps my moving for a reconsideration of the vote on sugar, and winning a new vote upon that, would not greatly alter the result that was then reached.

However that may be, Mr. President, I see only one way open to me by which to make my record clear here. Though it might not ever be shown and proven that a trade had been entered into, if it were proven I hardly see how I could escape altogether being made a part of that trade, and I care

not how indirectly a part I may innocently appear to have been in any such an understanding, in such a deal, I am not going to be in any sense a part to it. I, therefore, move, Mr. President, to reconsider the vote of day before yesterday whereby an increased duty was voted on sugar.

Mr. McMASTER. Mr. President, will the Senator from North Dakota yield to me a moment?

Mr. NYE. I yield to the Senator from South Dakota.

Mr. McMASTER. I wish to say to the Senator from North Dakota that it has been stated on the floor of the Senate—though the statement made is subject to controversy—that if a duty is placed upon cement eventually it may increase the cost to the consumers of this country by approximately \$53,000,000.

It has further been stated by others that if a duty should be placed upon lumber the cost would be approximately \$50,000,000.

It has been further stated upon the floor of the Senate that if we shall increase the duties on plate glass the cost to the consumer will be about from ten to fifteen million dollars additional.

In addition to that, it has been stated upon the floor of the Senate that if we place a dollar a barrel duty upon oil it will increase the cost to the consumer in the sum of \$902,000,000.

If subsequent experience should bear out those statements, we have four items in this bill which will alone cost the consumers of this country more than \$1,000,000,000. Whether any trade has been made or not, I assume that that fact will suggest to the Senator that here we have four "guardsmen" each standing for all and all standing for each.

The VICE PRESIDENT. May the Chair ask the Senator from North Dakota whether he merely enters his motion or desires a vote on it at this time?

Mr. NYE. A parliamentary inquiry. If I enter the motion at this time, how late can it or when must it be taken up?

The VICE PRESIDENT. It may be taken up at any time before the bill shall have been completed.

Mr. HARRISON. Mr. President, a parliamentary inquiry. I did not hear the statement of the Chair.

The VICE PRESIDENT. In answer to an inquiry of the Senator from North Dakota [Mr. NYE], the Chair stated that if his motion was merely entered now, it could be called up at any time before a final vote should be taken upon the bill.

Mr. DILL. And it may be called up by any Senator?

The VICE PRESIDENT. Any Senator may call the motion up. Does the Senator from North Dakota desire to submit the motion now?

Mr. NYE. I submit it now, but I do not offer it at this time.

The VICE PRESIDENT. The motion will be entered.

Mr. SMOOT. Mr. President, the action just taken by the Senate will require action removing Portland cement from the free list on page 252, paragraph 1643, line 21. I ask that that action be taken now, in order to complete the subject matter of Portland cement.

The VICE PRESIDENT. Is there objection to the request of the Senator from Utah?

Mr. SMITH. Mr. President, suppose that shall be done; has notice been served that another vote on the cement item will be asked for?

The VICE PRESIDENT. The Senator from North Dakota served notice that a reconsideration would be asked for, but no motion was made and no motion was entered. The Senator merely announced that he changed his vote for the purpose of moving a reconsideration.

Mr. SMITH. May I ask the Senator from North Dakota if he proposes to ask for reconsideration of the vote by which cement was put on the dutiable list?

Mr. NYE. Mr. President, I do anticipate doing that, but not before we have had a reconsideration of the vote whereby a duty was placed on sugar.

Mr. SMITH. As it is a mere formal matter, will not the Senator from Utah allow the item to remain as it is until such time as final action on the bill is about to be taken?

Mr. SMOOT. I was just going to make that request if there is going to be another vote asked on the item. I thought I would simply clean up the item as we went along.

Mr. SMITH. I suggest that it go over, and I object.

The VICE PRESIDENT. Objection is made. The Secretary will report the next reserved amendment.

The LEGISLATIVE CLERK. The next reserved amendment is in paragraph 206, page 37, line 25, pumice stone.

Mr. ALLEN. Mr. President, on page 37, line 25, dealing with the rate on unmanufactured pumice stone, in lieu of "one-twentieth" inserted by the amendment of the Senate Committee

on Finance, I move to insert "one-tenth," and on page 38, lines 1 and 2, also dealing with the rate on unmanufactured pumice stone, in lieu of "one-eighth" inserted by the amendment of the Senate Finance Committee, I move to insert "one-fourth."

The amendments, Mr. President, would restore the rates on unmanufactured pumice that are now in force and which were approved by the House. The Finance Committee raised the rate on partly manufactured pumice from fifty-five one-hundredths of 1 cent per pound to three-fourths of a cent, and, at the same time, cut in half the rate on the unmanufactured product. If the manufactured pumice is to be given further protection, there does not seem to be any good reason for withdrawing protection from natural pumice which competes with the natural volcanic ash found in Kansas, Nebraska, and other States. In support of the request that this rate be restored I wish to read a letter from the outstanding producer of unprocessed pumice. He says:

As producers and shippers of volcanic ash or pumice, we are considerably concerned over the proposal to reduce the duty on pumice stone from \$2.24 per ton to \$1 per ton.

Pumice stone, when ground, is nothing more nor less than volcanic ash. Kansas has led the United States in the production of volcanic ash since 1916, this production running fully 50,000 tons per year, of which the writer furnishes about 20 per cent.

Owing to competition, we do not get very much for our material. We are able to get into Chicago-Milwaukee district and Cincinnati, but make very little headway on the Atlantic coast.

The freight rate to the Atlantic coast is around \$12 per ton. Under your proposed reduction in tariff, it would be no trouble at all for Italy to control our market. That is to say, under your proposed schedule you are shaping up the proposition so that the manufacturer on the Atlantic coast could import Italian pumice or volcanic ash in crude form, refine it on the shores, and control the situation.

At the present time ocean freight rates, of course, are very low; but under normal shipping conditions they are still lower than our railroad freight rate.

Congress seems to have the idea that pumice stone is of no concern to the people of this country; but quite the opposite is the case. By no means all the demand for ash and pumice stone for abrasive and miscellaneous uses is met with domestic production. One hundred and thirty thousand dollars' worth of pumice stone was imported from Sicily in 1926. Much of it is ground and is no different from the Kansas ash; but the high freight rate between Kansas and the Atlantic coast is making competition with the Sicilian product difficult on the eastern seaboard.

With a sufficiently high tariff it would be possible for the domestic ash and pumice of California to displace the foreign product without adding to the consumer's cost.

This, Mr. President, is the testimony of Mr. Davidson, of the Davidson Pumice Co.

I believe that this cut was made without very much consideration. It was not debated; and I am convinced it is only justice to those who are engaged in this relatively small industry to give them the restoration of this protection.

The VICE PRESIDENT. May the Chair state to the Senator from Kansas that his amendment simply restores the House rate. Therefore, the vote really should be on concurring in the amendment made as in Committee of the Whole. A negative vote would sustain the position taken by the Senator from Kansas.

The question is on concurring in the amendment made as in Committee of the Whole.

The amendment was nonconcurrent in.

The VICE PRESIDENT. The clerk will state the next reserved amendment.

The LEGISLATIVE CLERK. On page 38, lines 1 and 2, strike out "one-fourth" and insert "one-eighth."

The VICE PRESIDENT. The same question is presented. The question is on concurring in the amendment made as in Committee of the Whole.

The amendment was nonconcurrent in.

The VICE PRESIDENT. The clerk will state the next reserved amendment.

The LEGISLATIVE CLERK. Paragraph 207, silica, page 38, line 16.

Mr. PITTMAN. Mr. President, I offer the amendment which I send to the desk to the amendment made as in Committee of the Whole.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The CHIEF CLERK. On page 38, line 19, after the word "ton," and after the amendment already agreed to, it is proposed to insert:

Sand, containing 95 per cent or more of silica, and suitable for use in the manufacture of glass, and crude silica: All the foregoing, not specially provided for, \$3.50 per ton.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Nevada to the amendment made as in Committee of the Whole.

Mr. PITTMAN. Mr. President, I am going to take only a very few minutes to discuss this matter. I have some information here that I did not have when the subject was up before. There was very little information in regard to it from the Tariff Commission. I have since written the Tariff Commission with regard to the matter, and obtained further information on the subject.

The House bill carried a duty of \$4 a ton on silica. That is the same provision that was in the act of 1922. After the act of 1922 was passed, however, an action was brought before the Customs Court, and they held that silica sand was not silica, although it was 98 per cent silica, and the only silica imported was silica sand; so silica sand has been on the free list now, with the exception of six months, at all times.

The objection made to this proposal when it was brought up before was that if there were a duty on the importation of silica sand from Belgium it might raise the price of silica sand which is used in the manufacture of glass. It must be 95 per cent pure silica. It is on the free list now, and with the exception of six months it always has been on the free list. The Tariff Commission tells us that the price of silica sand delivered at the glass works in the East is \$4 a ton. The Senator from Wisconsin [Mr. LA FOLLETTE] on a former occasion said if we put a duty on it the price might go up to \$7 a ton. It has been on the free list all the time and the price has never gone over \$4 a ton.

What is the reason for that? The reason is given in the report of the Tariff Commission. It is because the glass works of this country are situated where there is coal, and at the same time where there is silica sand adjacent to the coal.

The Tariff Commission says there is competition in the eastern part of the United States between the producers of silica sand, which is used in the manufacture of glass, and, therefore, that there never can be any competition with Belgium in the matter. The internal freight prevents such competition. It is thoroughly demonstrated that the sand is on the free list now, has always been on the free list, except for six months, and yet the price of silica sand is \$4 a ton at the glass works.

The Senator from Wisconsin said that if we put a duty of \$3 on silica sand the producers might charge \$7 a ton for it. They are not charging \$7 now, although it is on the free list. The reason why they do not charge \$7, according to the Tariff Commission's report, is that there is competition within the United States for supplying silica sand to these glass works.

What is the fact?

The only part of the United States where this duty will be effective at all is on the Pacific coast. Whether we have a duty or do not have a duty will not change the situation anywhere else in this country, because it has not changed the situation anywhere else in this country. One hundred or two hundred miles back from the Pacific coast, however, are enormous deposits of silica sand. During the six months' time when there was supposed to be a duty on it those works started up, and they were employing a number of men. When the Customs Court held that silica did not include silica sand, although silica sand was as high as 98 per cent pure, it went on the free list, and the industries that had started up out in the Western States ceased to exist.

What is happening now? According to the report of the Tariff Commission, which I have here, the transportation charge from Belgium to San Francisco is \$2.83 a ton. The cost of the material in Belgium is 89 cents. They deliver silica sand to San Francisco from Belgium for \$3.72 a ton, while the price it sells for to every glassworks in the East is \$4 a ton.

Let us see what it costs to deliver silica sand to San Francisco from Nevada. The cost price of it in Nevada at the mine is \$2.20 a ton. In Belgium the cost at the mine is 89 cents a ton.

The freight rate from Nevada to San Francisco is \$7.40 a ton. The freight rate from Belgium to San Francisco is \$2.83 a ton. Belgium lays down this material for \$3.72, while Nevada can not lay it down for less than \$9.60.

That is the whole situation. I reiterate that we have only this proposition:

Placing a tariff on silica sand can not affect any place except the Pacific coast, because it is now and always has been on the free list, and yet silica sand is selling at the glassworks throughout the East for \$4 a ton. It is claimed that it would sell for

\$7 if there were a tariff on it. Why is not the price up to \$7 now, for Belgium may compete? According to the report of the Tariff Commission, it is because there are numerous deposits of silica sand in the East, situated adjacent to these works, where there is coal and everything else; and it is local competition that prevents the Belgian product from coming in here under the free list.

That is not true on the Pacific coast. On the Pacific coast they are landing silica sand in San Francisco for \$2.30 a ton, with an added mine cost of 89 cents, against a mine cost in Nevada of \$2.20 and a freight charge of \$7.40 a ton, and it is therefore impossible for those men who started up in Nevada under the act of 1922 to continue to exist without tariff protection.

It seems to me that that answers every question.

I have here a tabulation made by the Tariff Commission which shows the cost of silica sand—and that is the stuff that glass is made out of in this country—at every mine that produces it in the United States. You will find that the cost laid down here and the cost at those various mines is on an average from \$1.50 to \$2.20 a ton, while the cost in Belgium is 89 cents a ton. In every case it is shown that the transportation cost from the Atlantic coast to any of the glass works in the interior prohibits Belgian sand from ever reaching those points at all.

We have just the simple, plain proposition that an industry that employed thousands of men has practically gone out of existence by reason of an interpretation of the Customs Court. We find that we can restore that industry and place men at work who now are idle throughout the western country without affecting the price at all here in the eastern part of the country, because, as I say, the product is on the free list now and always has been, except for six months, and yet the uniform price is about \$4 at all of these glass works in the country. It is \$4 because there is intense competition in the East to supply this sand to the glass works.

That is the entire situation. They are shipping the glass sand from Belgium, where it costs 89 cents a ton at the mine, to San Francisco for \$3.72—that is the regular rate—and there are thousands of tons shipped as ballast. There we have no figures on what the costs are, but we know that they are materially lower than \$3.72 a ton.

If we can equalize the competitive prices at San Francisco and the ports of Los Angeles and San Diego, I feel that it is our duty to do so. We have come here asking for only the measure that has been established with regard to all articles. We have come here telling you that there are thousands of men out of employment in our country who once were employed in this industry and who were thrown out of employment by a construction of the Customs Court obtained by a former member of that court acting as an attorney on behalf of the glass works of this country.

Suppose we should add to the cost of glass on the Pacific coast. Tell me, how much would it add? Glass ranges from \$200 to \$2,000 per ton. According to the Tariff Commission report, which I have here, glass sand represents only 20 per cent of the cost of the raw material. There is three-fourths of a ton of sand to a ton of glass. If we should add \$3.50 to the cost of a ton of glass sand, it would add only \$2.33 to the total cost of a ton of manufactured glass, which in the cheapest glass would be as \$2.33 is to \$200, and as \$2.33 is to \$2,000 in the highest-priced glass. That means nothing to the consumer. It does not affect the price of glass or glass sands in the East, and it simply allows a new industry of the West, which started to work in 1922, to continue operations.

I have the reports of the Tariff Commission to sustain what I am saying. As to the importations, it was contended that there were no importations. I admit there are no importations in the East. There are 2,000,000 tons of glass sand used in the East, but there are no importations here, and never have been. But on the Pacific coast the importations started at about 4,000 tons of glass in 1923, and they have grown up until they are now 89,000 tons. They are increasing all the time. In fact, importations from Belgium are supplying every particle of the sand used in that section of the country.

In the course of 10 years, as those glassworks grow, the importations will increase to meet the demand. But the very fact that there are only 89,000 tons imported into this country proves that Belgium can not compete with the glass sand producers of the East, and it also proves that they can compete with the glass sand producers of the West, because they are supplying all of the demand of the West.

The Tariff Commission report shows where the 89,000 tons comes into the country. It comes into the port of San Fran-

cisco, into the port of Los Angeles, and into the port of San Diego. None of it comes to the East.

There is a contention, according to the Tariff Commission, that the competition of the East is what holds the price down to \$4 a ton, the competition of glass sands in the vicinity of the glassworks; but we find that in the West the glass sands are situated too far distant from the coast works to permit them to compete with glass sands shipped from Belgium as ballast.

I want the Senate to understand that some people have thought that glass sands were common sands. There is nothing to that. There are 20 different kinds of sand. There is the sand that comes from decomposed lime. There is the sand that comes from decomposed granite. There is the sand that comes from decomposed slate, and every kind of rock, but this sand is from decomposed quartz. It is silica sand; it is a sand which must contain over 95 per cent of pure silica; it is a sand used only in glass manufacture. When Congress placed a tariff on silica in 1922 there was no silica imported into this country except Belgian sand. Congress intends to protect against the importation of that sand. Yet, in spite of that, an ex-member of the Customs Court went as attorney for the glass works and got that court to render a decision that silica sand, although it contained 95 per cent pure silica, was not silica, and under that interpretation they took the duty off. That came out in our lobby hearing. That is what they hired him to do, to misconstrue the whole provision.

In this matter we simply apply the amendment to silica sand, carrying over 95 per cent silica, used in glass manufacture. That is so definitely described that it could not affect any other kind of sand that may be imported into this country.

Mr. ODDIE. Mr. President, I was called out of the Chamber for a few moments at the beginning of the remarks of my colleague. I would like to refer to the large deposits of silica sand in the West, and ask my colleague if he has not data showing that those deposits contain high-grade silica sand which is suitable for the manufacture of glass?

Mr. PITTMAN. Mr. President, I have the assays made by the glass works, both on the coast and at Pittsburgh, showing that this sand is as high grade and as pure as the Belgian sand, and that they would use it, as they did for a period of six months, except that it can be laid down so cheaply from Belgium.

Mr. ODDIE. I know from observation that one deposit of this silica sand at least, in the southern part of Nevada, contains an enormous tonnage. I also know of other large similar deposits in Nevada. So, if the quality is right, as the evidence has shown, the quantity has been demonstrated to be there. There is an enormous quantity of it.

Mr. President, I favor this amendment of my colleague and feel that it will do much to bring and hold business to our country which we need. I hope the amendment will be agreed to.

Mr. DILL. Mr. President, I want to ask the Senator from Nevada whether or not he explained the ruling of the department which placed Belgian sand on the free list, which had formerly carried a tariff?

Mr. PITTMAN. I did. I said that, through the action of a former member of the Customs Court, they held that silica sand carrying 95 per cent of silica was not silica. Yet it is the only thing of the kind that has ever been imported into this country.

Mr. DILL. I have learned that large quantities of Belgian sand are being imported and landed on the Pacific coast, particularly on the north Pacific coast, free of duty, and industries are being bankrupted because they were built up on the theory that there was a tariff on Belgian sand. For this reason, I will vote for the Senator's amendment.

Mr. PITTMAN. Mr. President, I am not going to take time to read the entire report of the Tariff Commission, as I know the Senate is impatient to get on, but I ask leave to have printed at the end of my remarks the data I have from the Tariff Commission, which I have just obtained.

I wish to say that there are 18 States in the United States, according to this report, which are at the present time supplying certain amounts of silica sand.

The report also discloses what I have stated, that the silica-sand deposits used by the glass works in the East are adjacent to the works and adjacent to coal. The price is \$4, no higher, although the Belgian sand has always been on the free list. This affects nothing whatever except the Pacific coast, to which ports the product is shipped as ballast.

The VICE PRESIDENT. Is there objection to the request of the Senator from Nevada?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

UNITED STATES TARIFF COMMISSION,
Washington, March 4, 1930.

Hon. KEY PITTMAN,

United States Senate, Washington, D. C.

MY DEAR SENATOR PITTMAN: Receipt is acknowledged of your letter of February 27 concerning the glass-sand industry in the United States.

We are pleased to attach hereto a memorandum covering information with respect to the following:

- (1) Production in the United States, by States, for recent years.
- (2) Imports for consumption from Belgium, 1923 to 1929.
- (3) Imports for consumption from Belgium, by customs districts, for the years 1928 and 1929.
- (4) Costs and transportation charges on Belgian and domestic glass sand to important glass-producing centers in the United States for 1930.

We trust that this information answers your inquiry.

Sincerely yours,

E. B. BROSSARD, *Chairman.*

GLASS SAND

Glass sand is a comparatively pure form of silica. In the production of glass, sand containing 95 per cent or more of silica is required. For the highest grades of glass, such as optical, plate, and window glass, sand containing 98 per cent or more of silica is necessary. Glass sand represents approximately 20 per cent of the raw material cost and 2.5 per cent of the total cost in the production of plate or window glass. Iron, which is present in all glass sands in varying amounts, is an undesirable impurity. For the better grades of glass the sand should not contain more than a trace of iron.

The commercial deposits of glass sand are widely distributed throughout the United States. The large glass plants in the eastern section of the country, however, obtain most of their requirements from mines east of the Mississippi River. Important deposits occur in West Virginia, Pennsylvania, and Illinois.

The following table shows the domestic glass sand sold or used by producers in the United States, by States, for the period 1925-1928. Illinois was the largest producer, followed by West Virginia and Pennsylvania. These three States produce 71 per cent of the total production.

Glass sand sold or used by producers in the United States for the period 1925-1928

	1925			1926			1927			1928		
	Quantity, short tons	Value	Average value	Quantity, short tons	Value	Average value	Quantity, short tons	Value	Average value	Quantity, short tons	Value	Average value
Arkansas.....	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
California.....	(1)	(1)	(1)	2,075	\$3,089	\$1.50	6,882	\$21,917	\$3.18	(1)	(1)	(1)
Georgia.....	(1)	(1)	(1)	(1)	(1)	(1)	3,000	3,000	1.00	(1)	(1)	(1)
Illinois.....	709,029	\$636,355	\$0.90	610,234	465,458	.76	629,258	356,333	.57	658,036	\$442,923	\$0.67
Indiana.....	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
Maryland.....	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
Massachusetts.....	(1)	(1)	(1)	(1)	(1)	(1)	940	5,511	5.87	436	2,451	5.62
Michigan.....	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	63,546	145,073	2.23
Missouri.....	165,200	252,271	1.53	145,383	204,067	1.40	99,026	144,259	1.47	145,554	188,960	1.30
Nevada.....	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	3,585	7,887	2.20
New Jersey.....	195,770	310,796	1.59	185,581	308,507	1.66	185,568	278,588	1.50	165,142	246,919	1.50
New York.....	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
Ohio.....	57,948	114,350	1.98	(1)	(1)	(1)	(1)	(1)	(1)	63,442	118,570	1.87
Oklahoma.....	(1)	(1)	(1)	35,695	61,881	1.73	30,107	52,787	1.75	(1)	(1)	(1)
Pennsylvania.....	418,676	845,455	2.02	409,067	819,981	2.00	423,895	814,013	1.92	451,014	906,350	2.00
Texas.....	(1)	(1)	(1)	6,071	4,157	.68	8,706	6,073	.70	(1)	(1)	(1)
Virginia.....	61,532	136,523	2.22	(1)	(1)	(1)	34,878	91,947	2.63	35,060	75,945	2.16
West Virginia.....	501,688	1,136,942	2.23	518,128	1,134,017	2.19	509,905	1,100,413	2.16	527,063	1,068,017	2.02
Undistributed.....	225,078	403,393	1.80	361,984	614,214	1.70	239,518	382,949	1.60	197,970	232,550	1.17
Total.....	2,334,921	3,836,085	1.64	2,274,218	3,615,371	1.59	2,171,693	3,257,790	1.50	2,310,828	3,435,645	1.49

¹ Included under "Undistributed."

² No production reported.

Source: Mineral Resources of the United States, Pt. II.

The foreign glass sand used in the United States comes almost wholly from Belgium. Some of the finest deposits of glass sand in Europe are those at Fontainebleau near Paris, France, and at Epinal near Antwerp, Belgium.

Imports reported as glass sand in 1928 amounted to 43,286 short tons, of which 41,586 short tons came from Belgium. Imports in that year reported as "other sand" from Belgium amounted to 38,809 tons, valued at \$34,754, or an average value of about 89 cents per short

ton. These figures indicate that most, if not all, of this sand is glass sand. Imports in 1929 of sand from Belgium, all reported as "other sand," amounted to 87,457 short tons, valued at \$65,019, or an average value of 74 cents per short ton.

The following table affords a comparison of the domestic glass sand sold or produced in the United States with imports of sand, including glass sand, from Belgium for the period 1923-1929.

Glass sand sold or used by producers in the United States and imports for consumption from Belgium of glass sand and other sand for the period 1923-1929

Year	Domestic			Foreign								
	Glass sand sold or used by producers in the United States			Imports from Belgium ¹								
				Glass sand			Other sand			Total		
	Quantity (short tons)	Value	Average value	Quantity (short tons)	Value	Average value	Quantity (short tons)	Value	Average value	Quantity (short tons)	Value	Average value
1923.....	2,034,958	\$3,751,778	\$1.84	2,164	\$2,910	\$1.34	71,572	\$57,328	\$0.80	73,736	\$60,238	\$0.81
1924.....	2,169,899	3,718,973	1.71	6,479	1,944	.32	69,772	40,946	.59	76,251	42,890	.56
1925.....	2,334,921	3,836,085	1.64	4,174	2,025	.48	63,981	36,726	.57	68,155	38,751	.57
1926.....	2,274,218	3,615,371	1.59	7,608	6,874	.90	79,031	43,153	.54	86,639	50,027	.58
1927.....	2,171,693	3,257,790	1.50	10,270	7,632	.74	66,023	40,052	.60	76,293	47,684	.62
1928.....	2,310,828	3,435,645	1.49	41,588	35,136	.84	38,809	34,754	.89	80,397	69,890	.87
1929.....	(2)	(2)	(2)	(2)	(2)	(2)	87,457	65,019	.74	87,457	65,019	.74

¹ Imports reported in long tons, converted to short tons.

² Not available.

³ No imports of glass sand, as such, reported; included with other sand.

Source: Statistics for domestic; Mineral Resources of the United States, Part II, 1928. Imports compiled from special statistical report of the Department of Commerce.

The following table shows imports of sand, including glass sand, from Belgium for the years 1928 and 1929 by customs districts. In 1929 approximately 82 per cent of the imports of sand from Belgium were entered at Los Angeles and San Francisco:

Sand, including glass sand: Imports for consumption from Belgium by customs districts for the years 1928 and 1929

Customs district	1928			1929		
	Quantity	Value	Average unit value per short ton	Quantity	Value	Average unit value per short ton
	<i>Short tons</i>			<i>Short tons</i>		
San Francisco.....	50,593	\$41,190	\$0.83	52,741	\$40,502	\$0.77
Los Angeles.....	14,224	9,943	.71	19,141	11,852	.62
New York.....	1,669	3,576	2.14	5,281	5,982	1.13
Washington.....	4,424	4,574	1.03	5,085	3,823	.75
Massachusetts.....	1,344	1,083	.80	3,289	1,421	.43
Oregon.....	1,400	1,174	.84	1,920	1,440	.75
Total.....	80,397	69,990	.87	87,457	65,019	.74

Glass sand is imported free of duty under paragraph 1675.

The average value of domestic glass sand varies according to different methods of manufacturing and for different localities. In 1928 the average value per short ton at mine in Illinois was 67 cents; in Pennsylvania, \$2; in West Virginia, \$2.02; and in Nevada, \$2.20. As the Illinois sand deposit near Ottawa is some distance removed from the large glass manufacturing centers, it has been necessary in order to offset the disadvantage due to high freight rates. Accordingly, most of the glass sand produced in the State of Illinois is obtained by hydraulic mining, whereas, that produced in Pennsylvania and West Virginia is quarried and crushed. The largest number of glass factories in the United States are located in the States of Pennsylvania, West Virginia, and Ohio. As freight rates on sand, particularly for inland transportation, are relatively high, glass manufacturing establishments in these States usually secure their supply of sand from the nearest deposits. West Virginia and Ohio glass factories are supplied largely from the deposits at Berkeley Springs and Thayer, W. Va.; Pennsylvania factories from the deposits at McVeytown and Lewiston, Pa., whereas the glass factories in the Central States secure most of their sand requirements from the large Ottawa, Ill., area.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Nevada to the amendment made as in Committee of the Whole.

The amendment to the amendment as made in Committee of the Whole was agreed to.

The VICE PRESIDENT. The Secretary will report the next amendment.

The CHIEF CLERK. On pages 38 and 39, paragraph 208, mica.

Mr. WATSON. I offer the following amendment.

The VICE PRESIDENT. The clerk will state the amendment.

Mr. BARKLEY. A parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. BARKLEY. Is there any amendment reported from the Committee of the Whole on mica?

The VICE PRESIDENT. The Chair is advised that there is an amendment on lines 23 and 24, and on line 5, page 38. The clerk will state the amendment offered by the Senator from Indiana.

The CHIEF CLERK. The Senator from Indiana offers the following amendment:

To strike out paragraph 208 and in lieu thereof to insert the following:

"PAR. 208. Mica, unmanufactured, valued at not above 15 cents per pound, 4 cents per pound; valued at above 15 cents per pound, 4 cents per pound and 25 per cent ad valorem.

"Mica, cut or stamped to dimensions, shape, or form, 40 per cent ad valorem; mica films and splittings, not cut or stamped to dimensions, not above 0.0012 of an inch in thickness, 25 per cent ad valorem; over 0.0012 of an inch in thickness, 40 per cent ad valorem; films and splittings, cut or stamped to dimensions, 45 per cent ad valorem; mica plates and built-up mica, and all manufactures of mica, or of which mica is the component material of chief value, by whatever name known, and to whatever use applied, and whether or not named, described, or provided for in any other paragraph of this act, 40 per cent ad valorem; untrimmed phlogopite mica from which rectangular pieces not exceeding in size 1 inch by 2 inches may be cut, 15 per cent ad valorem; mica waste and scrap, when valued at not more than 5 cents per pound, 25 per cent ad valorem; valued at more than 5 cents per pound, it shall

be classified as mica, unmanufactured; mica, ground or pulverized, 20 per cent ad valorem."

Mr. SMOOT obtained the floor.

Mr. WATSON. Mr. President—

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Indiana?

Mr. WATSON. I would like to make an explanation.

Mr. SMOOT. I would like to have the Senator do so.

Mr. WATSON. The explanation is simply this: This is a rewriting of the whole mica paragraph.

Mr. SMOOT. Yes; and there are changes in the rates.

Mr. WATSON. Slight changes. The amendment was prepared really under the supervision of the senior Senator from North Carolina [Mr. SIMMONS] and offered by him. It is a rewriting in the interest of clarification, largely, though there is some change in the rates to meet the ideas of the Senator from North Carolina.

There is one case now in the court, I will say to the Senator from Utah—of course, he is familiar with it—on the question of classification, because at the present time the rates are difficult of interpretation, and therefore of administration.

Mr. SMOOT. I am not objecting to the wording at all, but there is a material increase in the rate.

Mr. WATSON. Yes; there is some increase in the rate, and I want the Senator from North Carolina to take the floor and explain the increase in the rate.

I want to say to the Senator from Utah, first, that the particular part in which I am interested is the rate on phlogopite. That is a barbarous sounding name, but it is not as bad as it sounds. In other words, it is nothing but amber splittings.

Mr. SMOOT. Let me suggest to the Senator that the amendment be agreed to and go to conference.

Mr. LA FOLLETTE. What is the effect of the amendment?

Mr. SMOOT. The effect of the amendment in some parts is an increase in the mica schedule. As far as the wording is concerned, I think this amendment is better than the provision in the bill. I think there is no doubt about that. The classification is better, too, but there are one or two classes as provided for in the amendment which is offered, at higher rates than in the bill as reported to the Senate.

Mr. LA FOLLETTE. Mr. President, may I ask the Senator what is the justification for the amendment?

Mr. SIMMONS. Allow me to explain to the Senator from Wisconsin. When this paragraph was reached there were two small amendments offered by the Committee on Finance. I stated that I should make no objection to the amendments, because I thought the whole paragraph needed rewriting. As it came from the House and as it came from the Committee on Finance, it was a very unbalanced schedule in that the rates imposed upon the raw material were out of balance with the rates imposed upon the finished product. I was not particularly interested in raising rates, but I wanted the rates harmonized so as to give the same benefit to the producer of the raw material that they give to the producer of the finished product. I did not write the rates myself. I had three or possibly four of the experts who had been assigned to different members of the Committee on Finance, to meet me in my office and I stated to them that what I desired and all I desired was to have the paragraph rewritten so as to bring about a balanced condition with reference to the rates prescribed on the raw material and the finished product.

Those rates were fixed by them and adopted by me in the draft that I turned over to the Senator from Indiana [Mr. WATSON], who desired to make an amendment to it. He did make an amendment to it and said he would offer it. Those rates were written simply with a view of bringing about that equality. I think it will slightly increase the rates upon the raw material, but will not materially affect the rates upon the finished product. I think under those circumstances that the suggestion of the Senator from Utah that the matter go to conference and be settled there is a good one, because they are technical questions, which it is difficult to present here without taking a great deal of time.

Mr. LA FOLLETTE. Mr. President—

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from Wisconsin?

Mr. SIMMONS. I yield.

Mr. LA FOLLETTE. It is not my desire to prolong debate upon the amendment, but I am opposed to amendments being presented here without any justification for them and having them taken to conference unless we know what is involved in the amendment. The conferees on the part of the Senate are going to be committed to the action of the Senate. I would

have no objection to the rewriting of the phraseology in order to make it more explicit, and I would not have any objection to harmonizing the rates in so far as the raw material and finished products are concerned.

Mr. WATSON. I will say to the Senator that that is just what the amendment seeks to do.

Mr. LA FOLLETTE. I understood the Senator from Utah to say that it would result in increases.

Mr. SMOOT. Over the rate in the bill.

Mr. LA FOLLETTE. The Senator from Michigan [Mr. COUZENS] just now tells me it involves a 100 per cent increase in one case. It seems to me it would be a strange situation which would require a 100 per cent increase in order to harmonize some discrepancy in the House text between the tariff on the raw material and the tariff on the finished product. I suggest to the Senator from Indiana that if all he desires is to accomplish the purpose outlined by the Senator from North Carolina that he withdraw his amendment and have the experts redraft it so that it will carry out that intent, and then we will not have the situation of the Senate conferees being committed to fight for a proposition which has not been justified in debate in the Senate.

Mr. ROBINSON of Indiana. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from North Carolina yield to the junior Senator from Indiana?

Mr. SIMMONS. I yield.

Mr. ROBINSON of Indiana. As I understand the amendment of the senior Senator from Indiana [Mr. WATSON], so far as phlogopite is concerned, it would reduce the duty on the raw material quite considerably from that which is already provided in the draft of that paragraph. That is the only suggestion I have to make, because I am not familiar with the rearrangement of the paragraph itself, and have not had an opportunity to read it.

The VICE PRESIDENT. The Senator from North Carolina has the floor. Does he yield to the Senator from Wisconsin?

Mr. SIMMONS. I yield.

Mr. LA FOLLETTE. In response to the suggestion made by the junior Senator from Indiana I am in the same situation he is, so far as familiarity with the paragraph is concerned. But from the statements that have been made it is perfectly obvious that the amendment presented by the senior Senator from Indiana does not carry out the laudable purpose outlined by the Senator from North Carolina. I suggest to the senior Senator from Indiana, if he desires to accomplish the objective outlined by the Senator from North Carolina, that he withdraw the amendment and have the experts redraft it so that there will not be any 100 per cent increases in duties that do not seem to be justified by the statement of facts as made in debate.

Mr. SMOOT. Mr. President, will the Senator from North Carolina yield to me?

Mr. SIMMONS. I yield.

Mr. SMOOT. So far as the phlogopite is concerned, the rate to-day is 20 per cent. If I understand the senior Senator from Indiana he proposes to reduce the rate set forth in the original draft to 15 per cent. Therefore it is a reduction in that item.

Mr. SIMMONS. Mr. President, replying to the suggestion of the Senator from Wisconsin with reference to referring the amendment to the experts, I apprehend the Senator was not in the Chamber when I made the statement a little while ago that the redrafting of the amendment had been done by experts, not one, but three or four, and he did not hear the statement by me that I was not particularly interested in the rate except that I desire that the rates be balanced as between the raw material and the finished product.

Mr. President, there is no such increase as indicated by the statement of the Senator from Michigan [Mr. COUZENS] to the Senator from Wisconsin. There is an increase over the Finance Committee rate on one of the products from 5 to 20 per cent. The House rate on waste, scrap, and ground mica was 20 per cent. The rate was reduced by the Senate Finance Committee to 5 per cent. The amendment offered by the Senator from Indiana restores that rate to the rate as fixed originally by the House, as I recall it. The rate that I spoke of was 20 per cent in the House text, reduced to 5 per cent by the Finance Committee, and in this amendment restored either to the House rate or raised to 20 per cent. That rate was upon waste and scrap mica and that I presume is the rate to which the Senator from Michigan referred.

An investigation will show that the importations of scrap and waste are very great. I presume the Finance Committee proceeded upon the theory that there was no necessity for a duty upon scrap and waste mica. As a matter of fact, that is the raw material of very great importance in connection with this

industry. It is the raw material produced very largely in North Carolina. North Carolina is the largest producer of mica of any State in the Union. In fact, I believe there is more mica produced in North Carolina than in any other State in the Union when its mines are in operation, but their mica is largely scrap and waste mica. The mines in North Carolina, I am advised—I do not know what the facts are, but I have been so informed—have been closed down for some time, because they found themselves unable to meet competition from India upon scrap and waste mica. The importations of scrap and waste mica last year were 8,000,000 pounds. The United States production of mica of that character was only 6,280,000 pounds. The mines in my State can produce every pound that is consumed in the United States, and yet by reason of these large importations, I am told, that they have closed down.

Very rarely in the discussion of a tariff bill have we been confronted by a situation where the importations from abroad are one-fourth larger than the domestic production. If, in case that condition exists, the industry is not entitled to a rate sufficiently high to equalize conditions here and abroad in that industry, then there is no case where protection is justified. That is the only rate that has been largely increased.

Mr. WATSON. Mr. President, will the Senator yield?

Mr. SIMMONS. I yield.

Mr. WATSON. We can offer this as an individual amendment at any time after we get through with the reserved amendments. Why not get together, fix up the amendment, and offer it as an individual amendment after we are through with the reserved amendments?

Mr. SIMMONS. I am through with experts myself. They have done all the work that I thought could be done, and I thought they had solved the situation correctly. I think the House rate was a fair rate.

Mr. LA FOLLETTE. I suggest that amendments of this technical character which have not been considered in the Senate should be referred to the Committee on Finance, so that some study may be made of them before they are presented on the floor. It is absolutely impossible for Senators, without any opportunity being afforded, to familiarize themselves with these technical subjects.

Mr. SIMMONS. Mr. President, I understand that the Senator from Indiana [Mr. WATSON] has inadvertently offered the wrong amendment.

Mr. LA FOLLETTE. Mr. President, that is a further justification of just what I was saying. These amendments should be submitted, printed, and referred to the committee, where we may have the advantage of consulting experts and the representative of the drafting service, so that the pending bill will not be loaded down in the closing hours of its consideration with hastily drawn and ill-considered amendments.

I also think that Senators, in so far as it is possible for them to do so, should submit their amendments and have them printed and lie on the table. The amendments now being submitted to the bill are presented in typewritten form and Senators have not the advantage of studying them or even securing copies of them. I do hope that we are not going to load this bill down in the final stages of its consideration with amendments which have not received proper consideration and are not properly prepared.

Mr. SIMMONS. Mr. President, when I obtained from the clerk's desk a copy of the amendment I could not find in it what I was looking for, and I thought that was very strange, and that there had been a mistake in reference to the amendment.

Mr. WATSON. Mr. President, why not let the amendment go over?

Mr. SIMMONS. I am perfectly willing that it should go over, and the Senator from Indiana may submit the amendment and have it printed.

Mr. WATSON. Then, let the amendment go over.

Mr. SIMMONS. But I somewhat resent the suggestion of the Senator from Wisconsin [Mr. LA FOLLETTE] that it is a hastily drawn amendment. I desire to say that the amendment which I had expected to submit was not a hastily drawn amendment but was a carefully drawn amendment. I can not speak for the amendment which has been offered, and I, therefore, suggest that it take the course suggested by the Senator from Indiana.

Mr. WATSON. That will be agreeable to me.

Mr. WALSH of Massachusetts. Mr. President—

The VICE PRESIDENT. Is there objection?

Mr. WALSH of Massachusetts. I have no objection to the amendment going over, but I simply wish to add to what the Senator from Wisconsin has said that we want at least a brief

explanation of new amendments offered so that the RECORD will show the reason for them—I have no reference to the one which has been under consideration—and then Senators who are interested may, if they so desire, later move a reconsideration. But the debate in this Chamber is not being listened to by many Senators. Let us at least have a record of the reasons for amendments so that we may read them the next day and call attention to any injustices that may be perpetrated by amendments which are offered to the pending bill in the closing hours of its consideration.

Mr. WATSON. Mr. President, I simply wish to make an observation. In the first place, I was interested in only one phase of the mica tariff, and that was in the substance which was called phlogopite. The Senator from North Carolina [Mr. SIMMONS] was interested in the other phases of it. Each of us consulted experts and each of us had the part of the amendment in which he was interested especially prepared for him. There was some confusion, however, when we put the two together. I hunted around for the amendment that both of us had agreed on, but I could not find it. I rather think I did offer the wrong amendment at the moment. Then, when my attention was called to it, I was entirely willing to withdraw the amendment; and I think the Senator from North Carolina was in very much the condition that I was in. Now, as he is willing to withdraw the amendment, we may let it go over. There was, however, no intention to load the bill down, I will say to my friend from Wisconsin.

Mr. LA FOLLETTE. I did not mean to reflect on the Senator in any way.

Mr. WATSON. I understand that.

Mr. LA FOLLETTE. I merely referred to the practice of submitting amendments without their having either been printed or considered by the committee. I was merely making a general appeal to Senators not to pursue that practice in the closing hours of the consideration of the bill.

Mr. WATSON. The Senator from Wisconsin is right as to that.

The VICE PRESIDENT. The clerk will report the next reserved amendment.

The LEGISLATIVE CLERK. The next reserved amendment is in paragraph 211, earthenware and crockery, on page 40, line 15, where the Senate, as in Committee of the Whole, struck out the words "10 cents per dozen pieces and."

Mr. WALSH of Massachusetts. I notice that the Senator who desired that this amendment be reserved is not now in the Chamber. Therefore, I raise the point of order that there is no quorum present.

The VICE PRESIDENT. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Frazier	Keyes	Shortridge
Ashurst	George	La Follette	Simmons
Baird	Glass	McCulloch	Smith
Barkley	Glenn	McKellar	Smoot
Bingham	Goff	McMaster	Steak
Black	Goldsborough	McNary	Steinwer
Blaine	Gould	Metcalf	Stephens
Blease	Greene	Moses	Swanson
Borah	Grundy	Norbeck	Thomas, Idaho
Bratton	Hale	Norris	Thomas, Okla.
Brock	Harris	Nye	Trammell
Broussard	Harrison	Oddie	Tydings
Capper	Hastings	Overman	Vandenberg
Caraway	Hatfield	Patterson	Wagner
Connally	Hawes	Phipps	Walcott
Copeland	Hayden	Pine	Walsh, Mass.
Couzens	Hebert	Pittman	Walsh, Mont.
Cutting	Heffin	Ransdell	Waterman
Dale	Howell	Robinson, Ind.	Watson
Dill	Johnson	Robison, Ky.	Wheeler
Fess	Jones	Schall	
Fletcher	Kean	Sheppard	

The VICE PRESIDENT. Eighty-six Senators having answered to their names, a quorum is present. The Secretary will report the next reserved amendment.

The LEGISLATIVE CLERK. In paragraph 211, on page 40, line 15, the Senate, as in Committee of the Whole, struck out the words "10 cents per dozen pieces and."

The VICE PRESIDENT. The question is on concurring in the amendment made as in Committee of the Whole.

Mr. HATFIELD obtained the floor.

Mr. BLAINE. Mr. President—

The VICE PRESIDENT. Does the Senator from West Virginia yield to the Senator from Wisconsin?

Mr. HATFIELD. I yield.

Mr. BLAINE. I desire to enter the debate in my own right when I can obtain the floor. I do not want the Senator to yield for a question.

Mr. HATFIELD. How long will it take the Senator to make his remarks?

Mr. BLAINE. I have no idea.

The VICE PRESIDENT. The Senator from West Virginia has the floor.

Mr. HATFIELD. Mr. President, I send to the desk an amendment to paragraphs 211 and 212.

I may say by way of explanation that the amendment which I have presented places the additional specific duty only on those commodities which compete in America with the products of American workers. The amendment will not add any extra cost to the earthenware and chinaware products imported from England or France. The additional duty of 10 cents per dozen was reported by the Finance Committee. The rate of 10 cents a dozen pieces will make it possible for the product of American workers to compete—

Mr. BARKLEY. Mr. President, I rise to a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. BARKLEY. Before we proceed discussing the amendment it might be well to find out what it is, so that we will know whether it is in order.

Mr. HATFIELD. I am merely explaining the amendment.

The VICE PRESIDENT. The Chair will state that he has read the amendment of the Senator from West Virginia, and it is not in order at this time, except by unanimous consent.

Mr. BARKLEY. I object to any amendment being considered that is not in order.

Mr. HATFIELD. Mr. President, when will it be in order?

The VICE PRESIDENT. The amendment will be in order when individual amendments shall be reached after the reserved amendments shall have been disposed of.

The question is on concurring in the amendment made as in Committee of the Whole.

Mr. HATFIELD. Mr. President, I wish to be heard upon that question.

The VICE PRESIDENT. The Senator from West Virginia is recognized.

Mr. HATFIELD. Mr. President, the pottery industry of this country began in 1685.

ORIGIN AND GROWTH OF THE INDUSTRY

The inception, and to a great extent the growth, of the pottery industry in the United States is due to the immigration of English practical potters and skilled workmen.

In 1685 one of the colonial governors of New Jersey, Dr. Daniel Coxe, from London, established a white-ware pottery at Burlington, N. J., and this is the first of its kind of which record is made. In 1688 the works were offered for sale, and inventoried as follows:

I have erected a pottery at Burlington for white chinaware. A great quantity, to the value of 1,200 pounds, has already been made and vended in the country and neighboring Colonies, and ye island of Barbadoes and Jamaica, where they have been in great request. I have two houses and kilns with all necessary implements, diverse workmen, and servants. Have expended thereon about £2,000.

The early records of the industry reveal the interesting statement that some of the earliest English china of which we have any knowledge was made from American china clay.

In his work on Pottery and Porcelain in the United States, Edwin Atlee Barber makes the following abstract from the record:

A patent was taken out in 1744 by Edward Heylyn, of the parish of Bow, in the county of Essex, painter, for the manufacture of chinaware, and the following year they enrolled their specifications, in which they state that the material used in their invention is an earth, the produce of the Cherokee Nation in America, called by the nation "unaker."

This was 24 years before the discovery of china clays at St. Austell, Cornwall, by Cookworthy. Josiah Wedgwood wrote of a pottery that had been established in South Carolina, with workmen from England, in 1765, "having one of our insolvent master potters to conduct them."

Mr. President, paragraphs 211 and 212 refer to what is known as pottery.

"Pottery" is the term used primarily to cover articles made from clay. Articles coming within the term "pottery," whether made of earthenware or chinaware, running from the crudest flowerpot to the most elaborate, decorative tableware, or highly ornamental chinaware, reflecting the skilled labor in these articles, representing values running into hundreds of dollars apiece, regardless of whether the article be a cup, mug, or saucer of the cheapest variety, or of the finest and most delicate china, serve the same identical purpose, depending largely upon the taste, inclination, or ability of the consumer to invest in these products.

Articles described and covered by paragraphs 211 and 212 are made of substantially the same materials, namely, clay,

pulverized flint or quartz, pulverized feldspar, and decalcomania. In outward appearance they are similar and in many instances superficially indistinguishable to those untrained in making a distinction; but, as formerly stated, they are used for the same purpose.

They differ, however, in cost of production, quality, and value. The difference is due to the proportions of materials used, with the added labor cost, together with the fuel used for firing.

This great American industry is of substantial interest to the following States: West Virginia, Ohio, Indiana, Tennessee, New York, New Jersey, Maryland, Massachusetts, Virginia, Michigan, Illinois, and California.

The States supplying the materials which enter largely into the manufacture of pottery are Georgia, Florida, Texas, Missouri, Oklahoma, North Carolina, South Carolina, West Virginia, Tennessee, Maine, Connecticut, Kentucky, New Jersey, Pennsylvania, New York, and California.

The production covered by paragraphs 211 and 212 affects American labor, which is represented in the pottery workers—a branch of the American Federation of Labor—more directly than it affects almost any other class of workers, I am justified in saying, whose product is the subject of any other paragraph of the tariff bill. The Senate by their action in dealing with these paragraphs will indicate to the American wage earners whether they stand for maintaining wages, averaging for the entire year a weekly wage of \$25, or whether they consider this amount too high.

This modest wage is from four to eight times the wage paid to the workers in those countries with which the products of American labor are brought in competition. The importation of this foreign-made pottery, amounting to more than 50 per cent of our total domestic consumption, has paralyzed the American industry and is sending this class of American laboring men upon the highways looking for work when they have spent their entire life at this vocation and know little about the performance of any other kind of work.

When we take into consideration the penalty now exacted by industries when the workman reaches the age of 45 to 50 years we can not help but understand how hopeless the task is which confronts these workers in their efforts to learn a new trade and what it means to those who are dependent upon them. I justify this statement that the workmen are more interested in these two paragraphs than possibly any other in that investigations show that even in the undecorated wares the labor cost is approximately 55 per cent of the total cost of the article. In the finer decorative wares it will run to 65 per cent of the total cost.

Mr. President, in referring to labor cost I mean that portion of the cost of the finished article which goes into the production by those workers who are employed as potters. This statement does not take into consideration the amount paid to workers in producing the clay, or the amount that is paid by the manufacturer for the raw materials that the pottery workmen use.

The American manufacturer is subjected to a differential in his efforts to compete with many of the foreign countries in that the goods are paid for after the first firing process in Europe. The American manufacturer pays before the first firing process. The advantage of the foreign manufacturer represents about 5 per cent difference because of this condition in wage cost, which is that much more to the advantage of the importer and foreign producers.

We must take into consideration that the cost of labor amounts to from 55 per cent to 65 per cent of the total cost of the production of this commodity. We must also bear in mind that foreign labor is willing to furnish the same product for one-third of what our American workmen are willing to work for.

In my judgment, Mr. President, there is not a man within the sound of my voice who would want the American workman to work for less than the modest salary of \$25 per week, especially the pottery workers, who possess skill and ability. We should be able to realize the wide handicap which confronts the American pottery industry and those employed therein and the inability of these workers to obtain employment when they are refused the proper tariff protection which the records disclose they are entitled to receive under the theory and principles laid down by protective tariff in its application for the conservation of our American industries.

Mr. President, the material-cost difference is not as great as that of labor; but, due to the low labor cost in mining and producing the raw materials in foreign countries as against the costs in our own country, even here there is an advantage which favors the foreign competitors and the importers.

It will interest those Members of the Senate who acclaim their willingness to vote for a tariff rate which will equalize the difference in cost of production between this country and foreign countries, as the productivity of the average worker is about the same, to consider seriously the difference in wages paid to workers in this industry in the various countries.

The difference in wage scale will indicate that even 10 cents per dozen pieces specific duty, in addition to the present ad valorem duties, will not fully equalize the difference in wage cost of production.

COMPARATIVE LABOR WAGES WITH COMPETING COUNTRIES

United States two and one-half times English wages.

Germany, female wages, 8 cents to 10 cents per hour.

United States, female wages, 25 cents to 52 cents per hour.

Germany, male wages, 13 cents to 31 cents per hour.

United States, male wages, 42 cents to \$1.27 per hour.

United States wages three and one-fourth times those of Czechoslovakia.

United States wages four times those of Holland.

United States wages four and one-half times those of Italy.

United States wages approximately eight times those of Japan.

I might say, Mr. President, that the French and English china workers find themselves in the same predicament in which the American pottery industry workers find themselves.

As evidence of my statement that this duty of 10 cents per dozen pieces will not equalize the difference in labor cost in the production of pottery, I wish to read to you a letter from the president of the National Brotherhood of Operative Potters, affiliated with the American Federation of Labor, which organization, I understand, represents some 90 per cent of the skilled workers employed in the American pottery industry:

MY DEAR SENATOR HATFIELD: In requesting your cooperation and assistance toward securing tariff protection on earthenware and chinaware the product of American workers, I am taking the liberty of furnishing you with concrete examples of how impossible it is under the present tariff rates for the products of American workers to compete in America with the products of workers of foreign countries.

For some years the products of foreign workers have supplied at least 50 per cent of the tableware consumed each year in America. During the past five years our membership has been unable to secure continuous employment more than 60 per cent of the time. I have called to the attention of our executive board members the claims of those Senators who are opposed to a fair degree of tariff protection for the product of American pottery workers, and the assertion of these Senators that the installation of tunnel kilns will make it possible for American pottery workers to compete with pottery produced in foreign countries.

It is the unanimous opinion of our executive board that while tunnel kilns may be profitably adopted for the firing of plain earthenware produced in lots of 10,000 dozen pieces or more, it should be borne in mind that firing represents but one part of the cost of producing pottery.

Then again, permit us to call your attention to the fact that, due to the lack of tariff protection, many American potteries have been forced out of the production of the cheaper wares, which wares, for American consumption, are furnished largely by the importation of Japanese, German, Czechoslovakian, and Holland wares. Our organization has requested additional tariff duties of 25 cents per dozen on chinaware, and 15 cents per dozen on earthenware, and in making this request we can state positively that even these tariff duties will not equalize the difference in cost of production.

The exhibits which I am furnishing—

I might say that these exhibits are in my office. I did not feel that it was necessary to present them here on the floor of the Senate—

The exhibits which I am furnishing were purchased by myself or officers of our organization. We have carefully compared these articles with similar ware which our members produce. We have attached to each exhibit a statement of what it costs at retail, and what the labor cost alone of producing these exhibits would be in America.

Labor costs, as hereto attached, refer only to the labor cost or wages paid to workers in American pottery plants.

This teapot, made in Japan, was purchased for 10 cents. The same teapot, produced in America by American labor, would cost—labor cost only—61.8 cents.

Exhibit B is a sugar (two pieces) purchased at the same time and place as the teapot just referred to at retail for 10 cents. This sugar would cost to produce in America—labor cost only—45.8 cents.

Exhibit C is a cream holder; was purchased for 10 cents at retail at the same time and place as the teapot and the sugar—Exhibits A and B. The cost to produce this cream holder in America—labor cost only—would be 35.1 cents.

Exhibit D is a 9-inch dinner plate purchased in Washington. This plate, sold at retail for 10 cents, was produced in Holland. The labor cost alone of producing this plate in America is 8.7 cents.

Exhibit E is a 7-inch plate, purchased for 10 cents. This plate was made in Japan. The labor cost alone for producing this plate in America is 15.5 cents.

Exhibit F is a saucer made in Japan purchased for 10 cents. The labor cost of producing this saucer in America would be 18 cents.

Exhibit G is a cup made in Japan purchased for 10 cents. The labor cost alone of producing this cup in America would be 14.4 cents.

Also you will find a Japanese tea set of 21 pieces. This tea set was purchased at a department store for \$4.50. The labor cost alone of producing this set in America would be \$6.28.

Thanking you for the interest you have taken in the welfare of the workers in the American earthenware and chinaware industry, and assuring you of the deep gratitude of our membership, we are,

Sincerely yours,

JAMES M. DUFFY, President.

Mr. President, for many years candidates for election to national office, irrespective of whether they were Republicans, Democrats, or so-called Progressives have publicly proclaimed their support of a tariff policy that would, as the well-known Republican doctrine does, "protect American industry and labor," or, as for years proclaimed by the Democrats, "at least equalize the difference in costs of production."

Mr. President, assuming that such protestations were sincere, and to carry on in good faith, I will say without any hesitancy that we should insert in paragraphs 211 and 212 a specific duty of not less than 25 cents per dozen pieces in addition to the ad valorem duty.

The pottery industry is run on such a basis that the workers receive compensation only for what they actually produce. Therefore, when these men are unable to secure work, it should be apparent that the industry is in distress.

The testimony given before the Finance Committee by representatives of the workers under oath indicated that the workers in the pottery industry were employed not more than 60 per cent of the time. A recent study of the pottery industry by the Department of Labor, Bulletin No. 412, 1925, showed that the average wages paid the pottery workers were \$21.68 per week.

Mr. President, when we discussed this subject some weeks ago, great stress was laid upon the lack of modern equipment, lack of modern ideas, and similar statements which were intended to indicate that those engaged in this industry were seeking legislation to cover their own weakness or inability. A few days ago a Member of the Senate indicated his intention to ask for an investigation to reveal just what tariff protection was needed to protect American labor.

The Department of Labor made an exhaustive study of the American pottery industry in 1925 and published their findings in Bulletin No. 412, 1925.

In looking through this report I find that this survey reported on a total of 56 separate classifications of work. This included 40 for men, 11 for women, and 5 in which both men and women were engaged. The average hourly earnings for 1925 for men, I find, varied from 32½ cents for straw boys to \$1.27 for boss bisque-kiln placers. For women the hourly wage is from 24.8 cents for dusters of the clay to 52.8 cents for gilders and liners.

Comparing the averages, it was found that the employees of each sex worked the same number of hours, that all males collectively earned an average of \$26.22 per week, and that all females collectively earned an average of \$13.27 per week.

In comparing these figures it must be borne in mind that there is much difference in the character and class of work performed by males and females in a pottery (p. 4).

I find that in 1925 when there was no tariff legislation under consideration—

Many of the potteries, the semivitreous ones especially, complained that business conditions were poor.

I find in this survey of the Department of Labor a comparison of the hourly earnings 1912, 1913, and 1925. I quote from the report (p. 23):

Hourly earnings in the pottery industry have, as a whole, more than doubled in the 12-year interval.

By computation from the figures relating to the semivitreous ware it is seen that the earnings per hour of figger men increased 98 per cent; of bisque-kiln placers, 120 per cent; of clay carriers, 171 per cent; of female finishers, 103 per cent; and of female dressers, 114 per cent.

It is of interest to note that while the figger men's earnings per hour increased 98 per cent, the rate for figgering a 7-inch plate, as shown, increased 61 per cent (p. 29), and that while the bisque-kiln placers' earnings per hour increased 120 per cent, their average rate per kiln-day allowing for the change from 212 to 200 cubic feet of kiln space per kiln-day, increased 68 per cent. The comparisons appear to indicate

that the increase in hourly earnings has been due to speeding up as well as to an increase in piece or wage rates. In many potteries changes in equipment and arrangement have made work easier and helped to increase production.

The Department of Labor survey of 1925 (p. 23) shows that while the hourly earnings of the workers increased about 100 per cent, that the cost of producing pottery had only increased about 60 per cent.

This report also states (p. 23):

In many potteries changes in equipment and arrangement have made work easier and helped to increase production.

The above statement should indicate to any fair-minded person that those engaged in producing American pottery have installed, where possible, modern equipment. It also shows that the workers received the greatest benefit in the form of increased hourly earnings with the adoption of the modern and up-to-date equipment.

This survey from which I have just quoted was made by the Department of Labor in 1925.

I also find that the Department of Commerce made a very exhaustive study of the pottery industry in 1915.

Mr. President, at this time I might call attention to the fact that the survey of the Department of Labor in 1925 and the survey of the Department of Commerce to which I am now going to call attention was made at periods when there was no tariff legislation pending.

I find that the labor cost of producing earthenware and chinaware in 1915 and in 1925 were approximately the same—from 50 to 60 per cent—whether we take the United States, Germany, or Czechoslovakia. The labor cost in Japan, where the wages are from one-sixth to one-eighth of what the workers in America received, may be higher or lower. As I have not been able to find any authoritative government report on Japanese labor cost, therefore, I am unable to quote such costs.

However, with labor costs in America and Europe varying from 50 per cent to 60 per cent of the costs of production, and with Japanese labor costs only one-eighth of American labor costs, I believe it fair to assume that the labor costs in Japan would represent some 50 per cent of the cost of production.

The Department of Commerce made this report, pursuant to an act of Congress, and it is interesting to note that at the time this report was made it was approved by a gentleman who openly subscribed to the theory of free trade—namely, the Hon. William C. Redfield.

I find that this survey showed that in Germany—

Three of the largest producers export to the United States from 30 per cent to 50 per cent of their output. These potteries have a comparatively low cost of manufacture and may be said to represent the German china factories, who exported in greatest bulk to the United States and are sold at prices that make them compete with American earthenware (p. 31).

I find that the potteries investigated in what is now Czechoslovakia exported to the United States from 50 per cent to 60 per cent of their total output.

Realizing that there are many Senators who desire to expedite the passage of the pending tariff bill, I will quote only a few of the facts pertaining to labor cost, as found by the Department of Commerce.

What is true in the instances which I will cite is naturally true in most other classifications.

The decorating of earthenware and chinaware did in 1915, and does in 1930, require hand labor.

The Department of Commerce found that the difference in total manufacturing costs of producing earthenware were 158.77 per cent higher in America than similar costs in Germany (p. 37).

The Department of Commerce found that the percentage of difference in direct manufacturing costs in the lowest cost establishments of America were 149.73 per cent higher than the lowest cost German earthenware plant; 176.33 per cent higher in the lowest American cost chinaware plant than in the lowest cost German chinaware plants; and 217.78 per cent higher in the lowest cost American chinaware plants than in the lowest cost Czechoslovakian chinaware plant (p. 38-45).

The Department of Commerce found that in mold making the cost in the lowest American earthenware plant was 105.88 per cent higher than in the lowest cost plant in Germany, while in producing chinaware the cost of mold making in the lowest cost American plant was 111.21 per cent higher than in the lowest cost German chinaware plant.

The Department of Commerce found that in decorating the cost in the lowest cost American earthenware plants was 164.52 per cent higher than in Germany, while the cost of decorating in the lowest cost American chinaware plant was 221.88 per cent

higher in American than the cost of decorating in the lowest-cost Czechoslovakian plant (p. 38-T5).

It is interesting to note that the Department of Labor also found that the wages paid to workers in American earthenware and chinaware plants are from 271.28 per cent to 582.80 per cent higher than were paid to the workers in the German chinaware plants, and from 116.19 per cent to 660.24 per cent higher than paid to the workers in the Czechoslovakian chinaware plants (p. 48-T16).

Mr. President, whether the American pottery workers will continue to work only 60 per cent of the time or whether these workers will be able to maintain their present wages, will in great part be decided by the vote of the Senate in authorizing this justifiable increase.

That the pottery workers are making sacrifices in order that they may maintain their present scale of wages can be noted from the statement by the president of the National Brotherhood of Operative Potters, affiliated with the American Federation of Labor, page 282 of the hearings before the Finance Committee, which reads as follows:

Only recently a large American pottery concern was offered a contract for a large quantity of tableware by one of the chain 5 and 10 cents stores, provided he could deliver these goods at a figure equal to that offered by one of the Japanese importing houses.

With our men employed at only 60 per cent of the time our organization was asked to accept a reduction of 50 per cent in our wages in order that this contract could be taken. Naturally we refused.

Illustrating the effect which importations of the product of foreign workers have upon the employment of our workers, it will interest you to know that during the past six months three large and long-established pottery companies have either been forced out of business or have liquidated, throwing more than 1,000 workers out of employment.

Mr. President, it is fair to assume that while these workers refused this reduction of 50 per cent at this time, they will soon be faced with additional requests unless Congress, by adequate tariff protection, makes it possible for the American pottery industry to compete on more even terms with the products of foreign workers.

As I have stated, everyone agrees that the labor cost in producing pottery represents 60 per cent of the cost of producing American pottery.

There is no testimony which I have found that indicates that mass production prevails to any extent in this industry. Therefore Congress, by its willingness or unwillingness to legislate proper duties on the foreign products which compete with the products of the American pottery workers, will in reality decide whether the American pottery workers will continue to receive their present scale of wages.

Again I maintain that if the protestations, made time and time again by those who acclaim their willingness to vote for rates which will at least equalize the difference in cost of production, are sincere they will support the amendment which I have offered.

The competition which has deprived the American pottery workers of employment comes principally from Japan, Czechoslovakia, and Germany. Therefore, while I am quoting the wages of the workers of these countries with which the products of our workers compete, I ask especially that Senators consider carefully the difference in the wages paid to American workers as compared with the wages paid to workers in Japan, Czechoslovakia, and Germany.

Mr. President, much has been said of the need of protecting the consumer. Pottery is a commodity used by all consumers, whether they be rich or poor, workers or farmers.

I believe that the first requisite of the consumer is his or her ability to earn sufficient that they may have funds with which to purchase.

The Tariff Commission findings indicate that we have relatively no export trade in American tableware, and that at least 50 per cent of the pottery consumed in America each year is produced in foreign countries.

The American market is the greatest market in the world, consuming more than 90 per cent of the commodities which we produce. Therefore it is our duty to preserve that market. Unless our workers have employment we at once reduce the value of our own market and the possibilities of our own people consuming a large portion of our commodities.

Figures were produced under oath before the Finance Committee which indicate that profits of the American potteries, with two exceptions, for the past several years have been virtually nothing, and even in the case of the two exceptions the advocates of low duties—the present rates—admitted that the profits were only 10 per cent.

While the returns of the American pottery producers, who give employment to American workers, were in great part a

loss, what about the profits of those who distribute foreign-produced pottery in America?

Among the largest distributors of Japanese pottery—the importation of Japanese pottery being responsible for much of the unemployment and distress which now exists in the American pottery industries—are the Mortimura Bros. The average profits of this concern, who employ Americans only in so much as is necessary to represent them at the customhouses, in their shipping rooms, and as salesmen, might be compared with the average profits of our 40 successful American potteries, which showed an average profit for the years 1925, 1926, and 1927, based upon the total sales of \$69,578,945, of only \$413,152, or one-sixth of 1 per cent per year on these sales. While the American manufacturers, who contribute some \$12,000,000 per year to American pottery workers alone, received only one-sixth of 1 per cent, Mortimura Bros. received average profits for the years 1922 to 1929, inclusive, of more than 65 per cent per year.

I desire to suggest that it takes a great deal of patriotism for these business men to continue in these industries, investing their money, and receiving in return for that investment only one-sixth of 1 per cent.

That the consumer in reality does not receive the benefits due to the low labor costs in the production of foreign-made pottery can be seen from Exhibit No. 53, on page 54, and Exhibit No. 59, on page 60, of the document issued by the Finance Committee, July 31, 1922.

Exhibit No. 53 refers to a china tea set of 17 pieces, produced in Japan, and the same having a value in Japan of \$1.73, which, with transportation, insurance, freight, and other charges of 44 cents and a duty of 95 cents is landed in the United States at a total cost of \$3.12, but for which the American housewife when purchasing pays to the distributor of said china tea set \$8.95, or a profit above landing cost of 187 per cent.

In Exhibit No. 59 we find a china dinner plate, imported from Germany, which plate had a value in Germany of less than 20 cents, which with transportation, insurance, freight, and other charges of 3 cents and a duty of 10½ cents was landed in the United States for less than 33 cents, but for which the American housewife in purchasing had to pay 98 cents, a profit to the distributor of this German-made plate of 199 per cent.

Quoting again from the testimony of the president of the National Brotherhood of Operative Potters before the Finance Committee, found on pages 278 and 279, I find that the secretary of that organization purchased in Los Angeles and San Diego in October of 1927 six cups and six saucers for 49 cents. The same type of saucers and cups he purchased in Los Angeles for 52 cents. In both cases these sales were made at retail. His testimony indicates that the labor cost alone in the production of similar cups and saucers in America would be 54 cents.

Wares used in the home or hotel, for table, toilet, and kitchen use, and ornamental ware, are arranged under different classifications in the statistical tables. They are divided into two classes, decorated and undecorated wares. The figures which I shall quote in a moment show the increase in importations of these classes of ware since the World War. These figures are misleading, because of two facts: First, the figures given are based on so-called "foreign value" and are regardless of undervaluations; second, the gradual decline in unit value is not ascertainable for the entire period because statistics as to quantities were not collected until January, 1926.

Some customs lawyers claim that undervaluations are few. Of course, one will not expect lawyers to indict the officials or the attachés of the court before which they practice; but the contention that undervaluations are not infrequent or unimportant is supported by a letter from Mr. F. X. A. Eble, Commissioner of Customs, which I ask to have inserted in the Record at this point.

The PRESIDING OFFICER (Mr. PATTERSON in the chair). Without objection, the letter will be printed in the Record.

The letter referred to is as follows:

TREASURY DEPARTMENT,
BUREAU OF CUSTOMS,
Washington, March 5, 1930.

Hon. H. D. HATFIELD,
United States Senate.

MY DEAR SENATOR: In accordance with your request for information relative to cases involving undervaluations of merchandise, which have been compromised for over \$50,000, the following tabulation gives a brief history of each of the cases involved. There are other compromise cases, but owing to the lack of time they could not be included herein:

(1) Certain wool importers, by reason of their failure to properly invoice shearings and different grades and qualities of wool under their proper heading, caused the Government to suffer a loss of revenue in the amount of \$208,945. The sum of \$410,302.86 has been accepted by

the Secretary of the Treasury in compromise of the liability incurred by the importers.

(2) In cases involving importations of carpets and floor coverings by certain American importers, an investigation by customs agents disclosed that such merchandise had been entered at less than their foreign or export value as defined by section 402 of the tariff act of 1922. As a result, the Government suffered a loss of revenue on entries made by said importers in the amount of \$50,336.53, which has been tendered and accepted by the Secretary of the Treasury in compromise of the matter.

(3) Another firm of importers of carpets has tendered the sum of \$164,663.84, representing the estimated loss of revenue, for failure to enter the goods at their proper values, which amount has been accepted by the Secretary of the Treasury in compromise of the Government's claim against said firm.

(4) In this case the importers of rugs paid the sum of \$62,103.44, the estimated loss of duties for failure to enter the merchandise at the proper market value.

(5) The importers of rugs in this case by their failure to enter the merchandise at the proper market value caused a loss of revenue in the amount of \$68,709.20, which amount has been accepted in settlement of this matter.

(6) In this case certain importations of billiard cloth and other woollens shipped from Belgium were made by the importers at values which barely represented the cost of production. An investigation disclosed that the entered prices were less than the market values and that the Government suffered a loss of revenue in the amount of \$133,952.25. The sum of \$133,952.25 has been accepted from the importers in compromise of the civil liability incurred by them.

(7) The firm in this case entered certain merchandise from France by using false invoices which resulted in a loss of revenue to the Government in the amount of \$37,443.92. The person responsible for this undervaluation has since died and his firm has paid to the Government the sum of \$74,887.84 in compromise of the matter.

Very truly yours,

F. X. A. EBLE,
Commissioner of Customs.

Mr. HATFIELD. Mr. President, the following table shows the gradual increase in importations:

Total importations and value	
Year:	
1922	\$11,889,964
1923	13,160,662
1924	18,162,039
1925	16,490,440
1926	18,512,818
1927	18,248,408
1928	17,947,102
1929	18,803,223

The greatest increase has occurred in imports from Germany and Japan, as the following figures indicate:

Germany	
Year:	
1922	\$1,696,571
1923	2,068,018
1924	4,038,119
1925	4,030,357
1926	4,320,938
1927	4,410,012
1928	3,795,368
1929	3,854,627

Japan	
Year:	
1922	2,835,410
1923	2,706,018
1924	3,599,813
1925	2,822,673
1926	4,015,026
1927	3,996,595
1928	3,956,304
1929	4,415,717

The above figures represent foreign values, Mr. President, and they can be multiplied by two and one-half, for when the foreign goods arrive in this country, including the expenses of transportation, duty, and other charges, and profit to the importers, the displacement value of American competing articles is approximately two and one-half times the value indicated in the statistical figures. We, accordingly, find that approximately 53 per cent of the total American consumption of pottery ware is made in foreign lands.

Again referring to the decreased value of imports, per dozen, the quantity of goods is greater than the value would indicate. Taking the Japanese figures as an illustration: In 1926 the average value of all Japanese decorated china was 83 cents per dozen; in 1927 the average value was 72 cents per dozen; in 1928, 62 cents per dozen, and for some months in 1929 it has run as low as 59 cents per dozen.

On account of earthenware carrying a lower rate of duty than China, both Germany and Japan have increased their exports of earthenware. During the past year the increase from Japan in both value and quantity was as follows:

Japan

Year	Value	Quantity
1927	\$334,417	503,601 Dozens
1928	579,204	1,064,299

Showing an increase of over 100 per cent in imports.

Mr. President, the importing interests have endeavored to make capital out of two events which have occurred during the past year. First, the combination or amalgamation of nine western factories, and, second, the enlargement of the Homer Laughlin China Co., located at Newell, W. Va. These moves were made in a desperate effort by way of self-preservation.

First, as to the consolidation. The original idea was to merge approximately twice the number of factories into the consolidation, but when reports of accountants were submitted, it was found that in the case of many of the potteries desiring to enter the combination, there was little or no equity either in the plant or the corporation. Those taken in were glad to accept stock for whatever equity there happened to be left in their business, in the hope that the consolidation would reduce the overhead, increase the output, and possibly show a profit.

At this point I wish to read a letter upon this subject which is signed by Mr. G. C. Mitchell, vice president of the American Chinaware Corporation, who is responsible for the combination:

CLEVELAND, OHIO, February 12, 1930.

Senator H. D. HATFIELD,

Senate Office Building, Washington, D. C.

DEAR SIR: We wish to lay before you the following figures which portray the condition of this company, and, we believe, of the dinnerware industry of this country at the present time, and which, in our opinion, warrants a much more positive protection against the foreign importations made by cheap labor.

This company operates nine separate potteries, all making household dinnerware. During the year 1929 we were unable to operate our plants to the point of 50 per cent. Our shipments were over \$1,000,000 less than the year 1928, and our losses were in excess of \$100,000. The loss to employees in wages was over \$1,000,000. The year 1930 so far does not show any improvement and we are quite convinced that some relief should be given most serious consideration.

Our potteries are not antiquated and we have some tunnel kiln equipment as well as other modern equipment. We are attempting every known means of retrenchment in expenses in our endeavor to meet foreign competition but are unable to get that low.

Thanking you for any consideration you can give this matter, we are,
Very truly yours,

AMERICAN CHINAWARE CORPORATION,
G. C. MITCHELL, Vice President.

The outstanding earthenware pottery is the above-named West Virginia plant. This plant has an interesting history. The purchasers, primarily, of four small intermittent kiln plants of the Homer Laughlin China Co., of East Liverpool, were all men of wealth, having made their money in other lines of business. Under excellent management and ample capital this small factory rapidly grew to a number of large units, catering not only to department-store trade but also securing steadily large chain-store connections, mail-order houses, and 5-and-10-cent store organizations. To supply the fast increasing business it was necessary to steadily increase their capacity.

Impressed with the inroads of competition, this company was one of the first American potteries to adopt tunnel kilns. This adventure proved successful in its operation. So successful have such kilns proven that in the past year this company has made an extension with additional kilns at an expenditure of more than a million dollars.

This does not indicate a relative increased total production. Being unable to produce goods at a profit, four periodic kiln plants have recently been closed. These closed periodic kilns represent a productive capacity of 90 per cent of the new unit.

This is but a brief summary of the largest china plant in the world. Three elements were essential in the building and operating of such a plant; first, the capital; second, the market or demand; and, third, operation by the most capable man in the pottery world.

The kilns operate continuously 24 hours a day and are never closed down except for repairs.

It is obvious that the 60 other pottery plants in the country could not adopt this method of producing. They are compelled to depend upon special lines of pottery ware of higher quality. The smaller plants of the country are facing the serious situation of being forced into more direct competition with wares from abroad.

During the discussion of the recommendations of the Finance Committee for a duty of 10 cents per dozen pieces on tableware in paragraphs 211 and 212, the claim was made that American potteries are antiquated, and were they to install tunnel kilns the cost of production could be greatly lowered.

West Virginia produces each year china and pottery tableware, valued at more than \$11,000,000, in some 22 potteries. The pottery industry represents each year an income to workers of West Virginia, employed in the potteries alone, of \$6,000,000.

The basis of the argument that our potteries are antiquated is that American potteries lack tunnel kilns.

I find that in 1915 and 1916 one of the largest and most successful American potteries, Sebring, installed a complete battery of tunnel kilns, the best kilns of their kind known.

While these kilns were most successful in the production of some wares, I find that the same pottery in 1922 installed a new building and found it more profitable to equip the new building with periodic kilns rather than with tunnel kilns.

The claim that the installation of tunnel kilns will save the American pottery industry is a statement which can not be substantiated.

I find that there are in America some 54 tunnel kilns in operation in a total of 19 potteries at this time. I also find that mass production is permissible in the pottery industry to a very limited extent. The use of tunnel kilns is possible only when great quantities of certain articles are molded, modeled, and decorated in a simple manner.

At this point I wish to insert in the Record a letter upon the subject of pottery kilns.

The PRESIDING OFFICER. Without objection, it is so ordered.

The letter referred to is as follows:

TRENTON, N. J., February 13, 1930.

Hon. H. D. HATFIELD,

Senate Office Building, Washington, D. C.

DEAR SENATOR: A statement has been made that it is the belief of some members of the Senate Finance Committee that in the general use of tunnel kilns in the pottery industry there would be a decrease in the cost of production, which would enable the manufacturers to compete successfully with importations without any increase in present duties.

Tunnel kilns have been used with success in the manufacture of sanitary china, earthenware, and tiles, but we do not know of any manufacturer of china who has been successful with this type of kiln.

In the years 1920, 1921, and 1922 we expended approximately \$60,000 in research and experimenting with a tunnel kiln, under the supervision of competent combustion engineers, and were forced to discontinue because of inability to control the heat in the narrow range required for the proper development of the product. We were concerned with betterment of product rather than saving in manufacturing costs. If the experiment had been successful, however, there would have been a saving, according to careful estimates, of approximately 3 per cent.

A great deal of time and money has been expended to develop china to a high degree and to reduce manufacturing costs. Much has been accomplished, but notwithstanding without the increase in duty asked for the industry serious consequences to the manufacturer will follow.

Respectfully,

LENOX (INC.),

H. A. BROWN, President.

Mr. HATFIELD. Again referring to the report of the Department of Commerce, I note that they found the American plants more efficiently equipped and better managed than was true of plants located in Europe.

They quote in their report the following:

At a meeting of the American Ceramic Society the "Defects of the continuous kiln" was the subject of discussion. Mr. J. Parker Fiske said:

"We know that the American manufacturer of ceramic ware is leading the world to-day in many departments. In the manipulation of his clay, in the forming of his clay into ware, and especially in the drying of that ware, he is certainly the peer if not the leader of the world. I was much impressed with what Mr. Mayer said with reference to the English manufacturer who referred the Australian to America for the latest and best practice. It was certainly a wonderful tribute to what has been accomplished in America."

In the matter of tunnel kilns, the Department of Commerce found that we had none in 1913. We now have 54.

The saving in the installation of the tunnel kilns is only in the matter of firing costs.

In the cost of producing earthenware or chinaware the Department of Commerce found that the kiln fuel cost was 4.97 per cent in American chinaware plants. As the entire saving through the installation of tunnel kilns is only a saving when the tunnel kiln is in continuous 24-hour operation, day in and day out, a matter of reducing fuel cost one-half, when the Gov-

ernment found that the reduction in production cost would be one-half of 4.97 per cent, less than 2½ per cent, is hardly a sound argument when the labor costs in producing pottery represent more than 50 per cent of the total costs of production.

Mr. President, a saving of less than 3 per cent in fuel costs will avail this industry but little when we consider that the foreign workman receives from one-third to one-eighth what the pottery workers of America receive.

Mr. President, there are only two ways in which the American pottery industry can be maintained. One is for the Congress to enact tariff legislation which will permit the maintenance of the present standard of wages and working conditions. The second is for Congress to refuse to enact protective tariff rates and, as a result of this action, force the American pottery workers to accept a substantial reduction in their \$25 a week wage if they wish to retain their employment in the American industry, thereby subjecting American workmen to the sweatshop experience that prevails in Europe.

The opponents of protective tariff rates, or of even competitive tariff rates, have referred to the opposition of one American pottery, the Mount Clemons pottery, to any increase in rates. I find that this pottery is owned and controlled by a prominent chain store, and its entire production is distributed through this chain. The product of this concern is not offered for sale in the competitive market.

References to the installation of tunnel kilns bring to my mind the subject of monopoly.

MONOPOLY

There are few, if any, Members of the Senate who will publicly record themselves in favor of a creation of a monopoly. In the discussion which took place on these paragraphs some time ago in the Senate, reference was made to the lack of willingness of the American pottery manufacturers to modernize their plants through the installation of tunnel kilns.

The style of kiln in general use throughout the world is the round up-draft or down-draft beehive kiln, known as the periodic kiln, which kiln is heated and fires drawn and the kiln entirely cooled at each burning. The tunnel kiln is a continuously burning kiln, running day and night, month in and month out, with cars of ware continuously passing into the tunnel at one end, gradually warming up to a maximum heat, and then gradually cooling off as they approach the finishing end of the firing process.

The installation of the tunnel kiln presupposes several very important things:

First. That the pottery plant has sufficient ground space for the erection of such a kiln. These kilns measure from 300 to 375 feet in length and 30 feet in width, including operating space.

Second. That the plant has sufficient capacity to produce enough ware to feed this continuously devouring monster.

Third. That the organization has sufficient capital to permit such an enormous outlay, approximately \$300,000 being necessary for the installation of each kiln.

Fourth. That there is sufficient trade demand to consume this enormous and continuous output.

A question which arises is how many of our 60 or 70 pottery companies are in a position to meet such conditions. I should say that there are extremely few—possibly four or five—who could make such a financial venture. On the other hand, Mr. President, if the meeting of the first three conditions were possible, how about the fourth? Where would the market be found for such an enormous production? If all or even a large portion of the companies now operating should adopt this method, assuming, of course, that the production by use of the tunnel kiln was right and the installation of the tunnel kilns would substantially reduce the costs of production, the production would result in such a commercial monstrosity that the surplus of wheat, now so troublesome, would sink into insignificance as compared with the surplus of pottery products.

While the American producers supply only 50 per cent of the American market, I find that at the present time we have sufficient kiln capacity and sufficient workers to supply the entire American market were it possible to compete with the low wages paid in Japan, Germany, and Czechoslovakia. The fact that foreigners supply 50 per cent of the American market is due entirely to the fact that the products of our American workers lack proper and adequate tariff protection.

One of the conditions necessary for the installation of tunnel kilns is the matter of capital, it costing some \$300,000 to install a tunnel kiln. The securing of such capital in many cases would mean that the potteries would be forced to place on their property a mortgage in many cases exceeding the value of the present plant. This would put these companies in the hands of the banks, who, as we know, in their desire to secure what they

call economies, would force in a few years an American monopoly.

Mr. President, the Senate can, by denying the protection which is badly needed for the pottery industry as a whole, drive what remains of the American pottery industry into monopolistic control.

The adoption of the amendment now before the Senate will, I am sure, make possible the employment of thousands of American pottery workers, and will at the same time permit the sale of American-made earthenware and chinaware to the consumer at the same price now paid for it.

Those who will gain by the adoption of the pending amendment are those workers engaged in the production of American earthenware and chinaware.

Mr. President, if there are any who will be adversely affected by this amendment, it will be the importers, who have but little at stake save and except an office force and a few salesmen.

I wish to say, Mr. President, that there is no paragraph in this tariff bill that is entitled to greater consideration than paragraphs 211 and 212, due to the fact that the pottery workmen of this Nation are more interested than any other people in the success and reclamation of this industry.

I hope the Senate will reflect long and seriously before it shuts the door to this industry, which supports more than 17,000 patriotic American workmen.

Mr. FESS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Ohio will state it.

Mr. FESS. Is the amendment proposed by the Senator from West Virginia in order at this time?

The PRESIDING OFFICER. It is the understanding of the Chair that the question is on concurring in the amendment made as in Committee of the Whole.

Mr. FESS. So we will not have an opportunity of voting on the Senator's amendment at this time?

The PRESIDING OFFICER. That is the Chair's understanding.

Mr. FESS. That will have to be done when the individual amendments are in order, after we get through with the reserved amendments?

The PRESIDING OFFICER. The Chair so understands.

Mr. FESS. Mr. President, under those circumstances I am not going to detain the Senate with any extended remarks further than to say that here is an industry that might properly be regarded as an American industry that was built up entirely through the encouragement of protective-tariff legislation. I do not know of any single industry that fits that situation as well as pottery. In other words, had it not been for the tariff encouragement originally given, we would not have an American pottery industry; and because of the incursions of foreign competition, even though the industry has reached great dimensions, it is gradually losing out.

In my own State there are many plants that have been compelled to discontinue operations entirely. In one city that is primarily a pottery city, devoted almost entirely to the manufacture of pottery, there has been a gradual declension, until to-day a very small capacity is running.

This is not a selfish plea that is being made on the part of the pottery industry. It is made in the interest of the employment of labor. This is one case where we have a joint appeal, not only by the investors of capital in the industry but especially an appeal by the labor that is employed in the industry.

I can not understand the point of view of the opposition to this particular industry, which is harder hit by foreign competition than any other industry affected by this bill.

In spite of that, the small amount of protection given in the House has been reduced by the Senate on a basis difficult for me to understand.

I only want at this stage to make these statements in behalf of the industry, and reserve the opportunity for a further discussion when the amendment that is offered will be in order, which is not so at this time.

ORDER FOR RECESS UNTIL 10 A. M. TO-MORROW

Mr. SMOOT. Mr. President, I ask unanimous consent that at the conclusion of its business to-day the Senate take a recess until 10 o'clock to-morrow morning.

The PRESIDING OFFICER. Is there objection?

Mr. GEORGE. Mr. President, did the Senator say 10 o'clock?

Mr. SMOOT. Yes; 10 o'clock.

Mr. GEORGE. I merely wanted to know as to the hour.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had passed the fol-

lowing joint resolution and bill, each with an amendment, in which it requested the concurrence of the Senate:

S. J. Res. 109. Joint resolution extending for two years the time within which American claimants may make application for payment, under the settlement of war claims act of 1928, of awards of the Mixed Claims Commission and of the Tripartite Claims Commission; and

S. 3168. An act to amend the act entitled "An act to authorize and direct the survey, construction, and maintenance of a memorial highway to connect Mount Vernon, in the State of Virginia, with the Arlington Memorial Bridge across the Potomac River at Washington," by adding thereto two new sections, to be numbered sections 8 and 9.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER laid before the Senate executive messages from the President of the United States, which were referred to the appropriate committees.

REVISION OF THE TARIFF

The Senate resumed the consideration of the bill (H. R. 2667) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes.

Mr. BLAINE obtained the floor.

Mr. LA FOLLETTE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Does the junior Senator from Wisconsin yield for that purpose?

Mr. BLAINE. I yield for that purpose.

The PRESIDING OFFICER. The absence of a quorum being suggested, the clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Frazier	Keyes	Shortridge
Ashurst	George	La Follette	Simmons
Baird	Glass	McCulloch	Smith
Barkley	Glenn	McKellar	Smoot
Bingham	Goff	McMaster	Steak
Black	Goldsborough	McNary	Steiner
Blaine	Gould	Metcalf	Stephens
Blease	Greene	Moses	Swanson
Borah	Grundy	Norbeck	Thomas, Idaho
Bratton	Hale	Norris	Thomas, Okla.
Brock	Harris	Nye	Trammell
Broussard	Harrison	Odde	Tydings
Capper	Hastings	Overman	Vandenberg
Caraway	Hatfield	Patterson	Wagner
Connally	Hawes	Phipps	Walcott
Copeland	Hayden	Pine	Walsh, Mass.
Couzens	Hebert	Pittman	Walsh, Mont.
Cutting	Heflin	Ransdell	Waterman
Dale	Howell	Robinson, Ind.	Watson
Dill	Johnson	Robison, Ky.	Wheeler
Fess	Jones	Schall	
Fletcher	Kean	Sheppard	

The PRESIDING OFFICER. Eighty-six Senators having answered to their names, a quorum is present.

Mr. BLAINE. Mr. President, in view of the colloquy which took place on the floor of the Senate yesterday between the senior Senator from Mississippi [Mr. HARRISON], the junior Senator from Arkansas [Mr. CARAWAY], and the junior Senator from Pennsylvania [Mr. GRUNDY], it is my opinion that the Senate ought to be advised of the facts in relation to the statements made by the junior Senator from Pennsylvania in answer to questions propounded by the junior Senator from Arkansas [Mr. CARAWAY].

The senior Senator from New Hampshire [Mr. MOSES], in his remarks pertinent to this question, said this, as appears on page 4865 of the CONGRESSIONAL RECORD:

The chairman of the Committee on Rules has never thought it his duty to find out who occupied rooms which are assigned to Senators. However, upon the publication of the article to which the Senator from Mississippi has referred, the chairman of the Committee on Rules undertook to make some inquiry, and was informed that the room had never been occupied by any except the regular employees of the Senator from Pennsylvania.

Referring to the junior Senator from Pennsylvania—

That the tariff organization—I do not remember its name—still maintains its offices in an office building down town; and that the room in question is used absolutely by the members of the personal staff of the Senator from Pennsylvania; and, it being the practice of the Senate to accept the word of any Senator regarding any transaction, the chairman of the Committee on Rules looked upon the incident as thereupon closed.

I quote from the remarks of the junior Senator from Pennsylvania following that debate:

Mr. GRUNDY. Mr. President, I rise for the purpose of confirming the statement made by the Senator from New Hampshire [Mr. MOSES] in

regard to the personnel of the offices I occupy in the Senate Office Building.

There is no one there who is either directly or indirectly connected with the American Tariff League.

Then, following that remark, occurred this colloquy:

Mr. HARRISON. Then, as I understand the Senator, it is not true that the American Tariff League has changed its offices from uptown to the Senate Office Building?

Mr. GRUNDY. The American Tariff League, as I understand, is maintaining the same offices in the Transportation Building that they have had there for the last year or 14 months; and they certainly have not transferred them to the Senate Office Building.

Mr. HARRISON. And they have no offices in the Senate Office Building?

Mr. GRUNDY. They certainly have not.

Then occurred the colloquy between the junior Senator from Arkansas [Mr. CARAWAY] and the junior Senator from Pennsylvania [Mr. GRUNDY], and I quote:

Mr. CARAWAY. Who is Warren F. Doane?

Mr. GRUNDY. Warren F. Doane is the editor of the *Manufacturer*, a publication of the Manufacturers' Club of Philadelphia.

Mr. CARAWAY. Has he been staying in this room in the Senate Office Building?

Mr. GRUNDY—

I want Senators to observe this subtle answer—

Mr. GRUNDY. He has headquarters in the Lafayette Hotel.

Mr. CARAWAY. I am not talking about where his headquarters are. Has he been staying in this room in the Senate Office Building?

Mr. GRUNDY. No; he is in town part of his time, and his room is in the Lafayette Hotel. He comes to my offices when I want him to come there, to consult with me.

Mr. CARAWAY. He has been principally staying there, has he not?

Mr. GRUNDY—

Now note what will later develop to be the concealment of a fact by the junior Senator from Pennsylvania—

Mr. GRUNDY. Oh, no; he visits there when I want him to come to my offices.

Mr. CARAWAY. That is every day, is it not?

Mr. GRUNDY. Not at all.

That is the material part of the colloquy to which I have referred.

Mr. President, I now want to give the facts as they have been sworn to before a subcommittee of the Judiciary Committee, the subcommittee known as the lobby committee.

Some time ago we had before the committee officers of the American Tariff League. In their testimony it was shown that the American Tariff League occupied rooms on the eighth floor of the Transportation Building in the city of Washington. The fact also developed that on the third floor of the Transportation Building, in room 333, was located what was called, on the door, printed on the door to that office, "American Tariff League News Bureau."

Upon further inquiry it was learned that the American Tariff League News Bureau was under the direction of the then Mr. GRUNDY. He had placed in charge of that news bureau, under the title of the American Tariff League, a Mr. Warren F. Doane, of Philadelphia.

I will tell briefly who Mr. Doane is and about his connection with the tariff bill. Mr. Doane was one of the parties in Pennsylvania who either took up collections or received collections for the Southern Tariff Association, and, according to the testimony of Mr. J. A. Arnold, paid over to the Southern Tariff Association on December 22, 1929, some \$3,000 to be used in lobbying on the tariff bill. Mr. Doane is also the editor of a magazine called the *Manufacturer*. That magazine has no subscribers at all except, as I understand, one department in Washington—I think the Department of Commerce. That is the only single subscriber to the *Manufacturer*. For his services on the *Manufacturer* magazine he then received and he now receives, so he testified this morning, \$500 a month. While he was in charge of room 333 in the Transportation Building in the American Tariff League News Bureau he received \$500 a month paid to him by the same Mr. GRUNDY. He also testified this morning that he received \$200 a month from a legislative committee created by the Pennsylvania Legislature having something to do with the electoral vote in connection with elections, making his salary from these three sources \$13,400 a year. He testified that his services with this legislative committee in Pennsylvania did not take very much of his time—in fact, practically none of his time—since he came to Washington.

The American Tariff League News Bureau moved into room 333, Transportation Building, Washington, D. C., some time after the election of 1928, either that fall or the early part of

1929; I do not now recall which, but over a year ago. That news bureau was used for propaganda purposes relating to the tariff bill. Mr. Doane's duties were to collect data and statistics. He visited the departments and obtained from them statistical information. He went to the Congressional Library and performed that sort of service. He continued in the employment of the then Mr. GRUNDY in direction of the news bureau of the American Tariff League in the Transportation Building until Mr. GRUNDY became the junior Senator from Pennsylvania.

Mr. Doane testified this morning that after the Pennsylvania senatorial contest was settled and after the junior Senator from Pennsylvania had taken the oath of office he closed the office in room 333, Transportation Building, in the city of Washington, and moved all of the records except those which he regarded as inconsequential and immaterial, which he destroyed, from that office to room 322 in the Senate Office Building. While he was in the Transportation Building he had a room at the Powhatan Hotel, and when it was convenient to go to his room in that hotel he went there to perform some of his work. He also testified this morning before the committee that he moved from the Powhatan Hotel to the Lafayette Hotel, on Sixteenth Street, because he found the latter hotel more conveniently located than he did the hotel at which he formerly stayed. At the Lafayette Hotel he did exactly what he did at the Powhatan Hotel. He went to his room and did some of his work there. He had a typewriter, as I recall his testimony, and he wrote data out in longhand and on the typewriter and did some of his work at the hotel when it was more convenient to be at the hotel than at the Transportation Building.

Mr. Doane continued to live at the Lafayette Hotel, and is living there to-day. He has a room in the Lafayette Hotel. He has the same office equipment there, and he is doing identically the same work there now that he did when he was in the Transportation Building.

He testified this morning that he had constructive possession of room 322 in the Senate Office Building; he was not a visitor at the Senate Office Building; he was and has been in the employ of the junior Senator from Pennsylvania at \$500 a month. He goes to the Lafayette Hotel when it is more convenient for him to return to the hotel than it is for him to return to room 322, Senate Office Building. In other words, he uses the Lafayette Hotel under his present employment in identically the same manner that he used the Powhatan Hotel while he was in charge of the American Tariff League News Bureau in the Transportation Building.

So Mr. Doane has not been a visitor to room 322, Senate Office Building, his headquarters are not at the Lafayette Hotel, his living quarters are no different than they were when he was in the Transportation Building, and the hotel has nothing to do with his office. He finds it convenient because the Lafayette Hotel is located conveniently to many of the departments of the Government, some mile or more away from the Senate Office Building, and when he has been at a department he prefers to go to the hotel instead of returning to the Senate Office Building, room 322. Room 322 is not Mr. GRUNDY's suite and is not even near his official suite.

At room 322, Senate Office Building, are four clerks, all on the pay roll of the junior Senator from Pennsylvania. Mr. Doane testified that he is performing exactly the same service and doing the same character of work while he is in possession and occupancy of room 322, Senate Office Building, that he did when he occupied room 333 of the Transportation Building. The character of this work is getting out data and tariff information. He testified that he got out that data and information for the junior Senator from Pennsylvania and some others. He did not recall that the junior Senator from Pennsylvania had ever used that data on the Senate floor, but he got it out for others. He prepared all of the data contained in that eloquent denunciation of the coalition made by the senior Senator from West Virginia [Mr. GOFF] on last Saturday.

Mr. GOFF. Mr. President—

Mr. BLAINE. I withdraw that. It was not Mr. Doane who prepared the data. I was mistaken in that statement. I will tell who did prepare the data.

Mr. GOFF. I would say to the Senator that no one prepared all the data used in that speech.

Mr. BLAINE. Who prepared the data?

Mr. GOFF. No one.

Mr. BLAINE. I will come to that presently.

Mr. GOFF. Yes; we will come to that, and then we will discuss it.

Mr. NORRIS. Mr. President, if the Senator will yield—

Mr. BLAINE. I yield.

Mr. NORRIS. From the little I heard about the speech, I am inclined to think the Senator from West Virginia is correct. [Laughter.]

Mr. BLAINE. Mr. President, the Senator from Nebraska does a great injustice to the secretary of the American Tariff League, and before I get through I think I will convince him to that effect.

So, Mr. President, these are the bare facts. The American Tariff League news bureau has moved from room 333 Transportation Building, which was supported by the then Mr. GRUNDY, from Pennsylvania, to the Senate Office Building, room 322, and Mr. Doane is performing exactly the same character of service and the same employment, and at the same amount per month. These are the facts that were developed from the testimony of Mr. Doane this morning before the Lobby Committee.

Mr. President, I did not intend to discuss the question of the data that were prepared for the senior Senator from West Virginia [Mr. GORF]. I think, however, since the matter has been injected into the debate, and I am partly responsible for it, because it was a slip of the tongue when I said that Mr. Doane prepared it, I shall discuss it briefly. I did not mean Mr. Doane. I meant Dr. Arthur Faubel, secretary of the American Tariff League.

I am not going to question the veracity of the junior Senator from West Virginia or the veracity of Doctor Faubel, but Doctor Faubel testified quite in detail that he prepared the data that were contained in the remarkable speech made by the junior Senator from West Virginia.

Mr. HATFIELD. Mr. President, I understood the Senator to say the "junior" Senator from West Virginia?

Mr. BLAINE. I meant the senior Senator from West Virginia. I beg the Senator's pardon. I do not know who prepared the late speech of the junior Senator from West Virginia. [Laughter.] I say that in all good nature.

Mr. HATFIELD. To what speech did the Senator refer?

Mr. BLAINE. The speech of about two hours in length this afternoon. I was very much interested in it and listened to it the greater portion of the time.

Mr. HATFIELD. That is very kind of the Senator, but for his information I wish to say to him that I am capable of preparing my own speeches.

Mr. BLAINE. I am not making any charges that anyone prepared the speech of the junior Senator from West Virginia for him. I was talking about who prepared the data for the senior Senator from West Virginia [Mr. GORF]. I was in error in mentioning the junior Senator and I beg his pardon for bringing him into the debate. I apologize to him.

Doctor Faubel is a real congenial gentleman, possessing certain characteristics. He has an extreme vanity. Senators who are attorneys have seen such witnesses on the witness stand. When once an attorney detects that characteristic in a witness, he is always able to have the witness unburden his whole soul and mind, and so Doctor Faubel proceeded to do to-day after I had suggested or after another member of the committee had suggested some very complimentary characterization of the doctor.

Mr. President, no doubt many Senators will recall the fact that the press on last Saturday carried the very famous speech the Senator from West Virginia [Mr. GORF] delivered regarding the tariff bill, and particularly regarding the "coalition." Well, Doctor Faubel gathers a lot of data. He is, no doubt, a great investigator; and he very frankly says that he investigated, and prepared the data and the information for the junior Senator from Pennsylvania [Mr. GRUNDY] when he was characterizing certain of the Western States as "backward" States; and he thought he had done a very good job in preparing that data and that information.

Mr. GOFF. Mr. President—

The PRESIDING OFFICER (Mr. Fess in the chair). Does the Senator from Wisconsin yield to the Senator from West Virginia?

Mr. BLAINE. I yield.

Mr. GOFF. I will say to the Senator from Wisconsin, I have a copy of the testimony given before the committee this morning, and I notice at the bottom of page 9 that Senator BLAINE propounded this question:

How much of the data in Senator GORF's speech is data that has been prepared by you?

Mr. FAUBEL. I should say a good proportion of it, sir, I do not know how much, but a very good bit.

I will say to the Senator from Wisconsin that the only "preparation," if that is the term, that was made by Doctor Faubel was the looking up of certain statistics and the corroborating of certain gathered facts. I will also say, with the permission of the Senator, in reply to the rather characteristic remarks of the Senator from Nebraska [Mr. NORRIS], that the gathering of data is not preparing anything; it is the getting together facts that already exist. When I made the statement

that none of these data were prepared, I made that statement with a full recognition of the meaning of the English language that facts, which represent the truth and reflect the truth, are not prepared by anyone; they are gathered together. A matter which relates to opinion and inference from facts is prepared, and nothing else.

Mr. BLAINE. Mr. President, of course, the Senator, if he will read all the testimony, will find a great deal more than he has read from it. I am not going into that; I am not criticizing the senior Senator from West Virginia; I am telling about Doctor Faubel and his connection with the American Tariff League.

Mr. GRUNDY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Pennsylvania?

Mr. BLAINE. I yield for a question.

Mr. GRUNDY. May I ask if I understood the Senator from Wisconsin to say that Doctor Faubel prepared the data that were in the statements which were submitted by me when, as a private citizen, I appeared before the lobby committee?

Mr. BLAINE. He used either the expression data or information in respect to the material regarding the "backward" States which the Senator from Pennsylvania presented before the committee.

Mr. GRUNDY. Mr. President, may I inform the Senator from Wisconsin that Doctor Faubel never saw those statements until they were made before the lobby committee at the time of my appearance?

Mr. BLAINE. Mr. President, that question the Senator can settle with Doctor Faubel and not with me. I am telling about the testimony that was presented before the committee. I beg the Senator's pardon, it was Mr. Doane and not Doctor Faubel.

Mr. GRUNDY. There have been so many other misstatements made here that I should like to take them up seriatim and correct them as we go along.

Mr. BLAINE. I assure the Senator there will be no question but that he will have complete opportunity to correct Mr. Doane's testimony and to correct Doctor Faubel's testimony, and he ought to be given that opportunity and he will be given that opportunity.

Mr. President, I have here a newspaper release of the speech of the senior Senator from West Virginia [Mr. GORF] in reference to the tariff—the speech which he delivered on last Saturday. This newspaper release, of course, was prepared for the convenience of the press reporters. It was a very lengthy release, some 11 pages of mimeograph copy, much of it single spaced, embracing many hundred words. It will be recalled that the speech was a very long one, and in order to simplify matters for the reporters the American Tariff League, through Doctor Faubel, prepared that release.

I want to read from the opening paragraph of that release. Some of the newspapers carried that opening paragraph. The language carried by those newspapers was not the language of the reporter. The language that was contained in some of the newspaper reports did not give the impression of the reporter who sent in that report. The reporter sent in, no doubt, this newspaper release; and by this method of newspaper releases, Mr. President, is indicated the way by which the American Tariff League undertook to impress the American people, and let it appear as a most innocent news item in a daily newspaper, when, as a matter of fact, it was written by Doctor Faubel, secretary of the American Tariff League, and he so testified.

Senator GUY D. GORF, Republican, of West Virginia, took the floor of the Senate Chamber to-day, and in a speech that bore every evidence of the most careful and exhaustive preparation.

[Laughter.]

The PRESIDING OFFICER rapped with his gavel.

Mr. BLAINE. That most "careful and exhaustive preparation," so far as the data and information are concerned, Mr. Faubel supplied. Continuing:

He attacked what he called the Senate coalition's manhandling of the proposed new tariff bill and its ruthless, blind—

This is the language of Doctor Faubel, not of the Senator from West Virginia—

its ruthless, blind, and unreasoning slaughter of important rate paragraphs. Senator GORF began his address—

Evidently this was prepared a number of days before; in fact, Doctor Faubel testified that he had started some three weeks ago to prepare the data and information for this speech—

Senator GORF began his address with a historical review of the operation of the protective tariff.

And Doctor Faubel said that he procured the data and the information for that historical review and for the part that the "coalition" played.

Mr. GOFF. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from West Virginia?

Mr. BLAINE. I yield.

Mr. GOFF. I think it may save time if I may interrupt the Senator at this point. I am not inclined to contend with the Senator; he is entitled to his opinion; he is entitled to answer the speech made by me in this way, if he desires, and he is entitled to be the spokesman of others if that is the plan or the understanding; but when he is making these statements why not make them according to the real facts of the testimony?

Doctor Faubel said that the speech delivered was not a speech prepared by him.

I say to the Senator that speech was not prepared by Doctor Faubel; it had been in preparation for a long, long time. It is true that he was asked to look up some of the facts and to corroborate certain matters that had been obscure. That is all there is to it.

Mr. BLAINE. But the Senator—

Mr. GOFF. If the Senator will allow me, Doctor Faubel did not make the statement that the speech was prepared by him.

Mr. BLAINE. Let me inform the Senator again that I have not said that Doctor Faubel prepared the speech.

Mr. GOFF. I understood the Senator to say that.

Mr. BLAINE. I have made no such inference, and when the Senator attempts to put those words into my mouth he is entirely mistaken. The Senator may, of course, build up a straw man and then, in his great courage and bravery, proceed to tear him down. I have not created any straw man; I have not said that Doctor Faubel prepared the speech. I said that Doctor Faubel prepared the release of the speech; and I am reading from the document prepared by Doctor Faubel.

Mr. GOFF. The Senator also referred to the data embodied in the speech. I am just assuming that the Senator wants to be fair, and that is the reason I am bringing this to the Senator's attention. Let me say that if the Senator prefers to proceed in his own way, and in his own time, I will promise now not to interrupt him; but, in my own time and in my own way, I will reply to the Senator.

Mr. BLAINE. The Senator, of course, will have that opportunity.

Mr. HARRISON. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Mississippi?

Mr. BLAINE. Yes.

Mr. HARRISON. Referring to that part of the advance copy which refers to a great speech, did Doctor Faubel write that or did the Senator from West Virginia write it?

Mr. BLAINE. Doctor Faubel, as I recollect, testified that the modesty of the Senator from West Virginia precluded him from delivering such an encomium upon himself.

Mr. GOFF. Mr. President, those words coming from the mouth of Mr. Faubel were put there by the junior Senator from Wisconsin, according to the reading of the testimony.

Mr. BLAINE. Oh, Mr. President, Doctor Faubel is a professor in a great university; he has had an academic training, a professional training; he lectures before classes almost daily when he is not engaged as a lobbyist for the American Tariff League; and the Senator from Wisconsin would be utterly incapable of putting words into the mouth of Doctor Faubel. I thank the Senator, however, for his complimentary remarks. Doctor Faubel is a very, very able gentleman. Now let me finish this.

Senator Goff began his address with a historical review of the operation of the protective-tariff policy in this country for the last hundred years.

Mr. President, here is the interesting thing about this address: Doctor Faubel brings to our attention the fact that he received information that there was a question as to who should deliver this address. The question was whether it was to be the junior Senator from Pennsylvania [Mr. GRUNDY] or the senior Senator from West Virginia [Mr. Goff].

Possibly on my examination, I think the suggestion was made that the American Tariff League was looking for an orator. The speech evidently fell into the hands of the senior Senator from West Virginia.

Mr. GOFF. Mr. President, will the Senator yield?

Mr. BLAINE. I yield.

Mr. GOFF. I will say to the Senator in that connection that it was stated to me by the chairman of the Finance Committee, the Senator from Utah [Mr. Smoot], that it was doubtful that I could obtain the floor last week to deliver the speech to which reference has been made. It was necessary that I be away dur-

ing this week, and I returned to-day at 12.30. I so informed the Senator from Utah. I also informed the Senator from Indiana [Mr. Watson], the floor leader, that I had in my possession a speech which I desired and intended to deliver, and that if I could not deliver it last week it would be impossible for me to deliver it. I stated to several others that I had prepared the speech and was ready to deliver it, but that it was necessary for me to be absent this week, and that if the speech could not be delivered last week it would not be possible for me to deliver the speech.

Those are the facts, regardless of what the rumors may have been to the contrary.

Mr. NORRIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Nebraska?

Mr. BLAINE. I do.

Mr. NORRIS. That explanation ought to be satisfactory. That makes it all plain.

Mr. BLAINE. Perfectly plain. There is no doubt about it. The Senator from West Virginia delivered the speech.

Mr. NORRIS. Mr. President, before the Senator proceeds, I should like to ask him another question. Did the doctor explain to the committee how they happened to decide on the senior Senator from West Virginia [Mr. Goff] instead of the junior Senator from Pennsylvania [Mr. GRUNDY] to deliver this speech?

Mr. BLAINE. No; Doctor Faubel did not elucidate the proposition very much, because the information I have stated came to him as coming from some one; but I am not interested in who prepared the speech for the senior Senator from West Virginia. I have not any doubt but that he delivered it. That, however, is not the question. The thing is that in this whole tariff debate, and during the entire consideration of the tariff bill, there have been these unseen and unclean hands of special interests—not only unseen hands, Mr. President, I remark, but unclean hands. It has been fully developed—evidence has been produced beyond the peradventure of a doubt—that a "plunderbund" has been organized on this tariff bill outside of the Senate by special interests whereby they propose to boost the tariff rates higher and higher on oil, sugar, lumber, chemicals, cement, plate glass, and the whole category of industrial commodities.

There is no doubt about it, no question about it. I am not going to review what I said the other day with respect to the oil tariff. No one dares to dispute the clear evidence that a deal was made to trade oil for sugar and sugar for oil. The lumber interests were in that deal. I have no doubt that the unseen hand of the cement interests was in that deal; and the evidence is developing daily that those interests who want to get their hands into the pockets of the people of America have formed a combination—an unholy combination—to drive through by the steam-roller process this bill, with all of these proposed increases upon the commodities to which I have referred, and thereby write a tariff bill even more indefensible than the House bill.

The American Tariff League has been in that organization. The Southern Tariff Association has been in it. The American Taxpayers' League has been a part of it. Certain so-called farm representatives in Washington have been a part of that combination. All the selfish interests, all the racketeers, have combined their interests to steam-roller this tariff bill, with these increased rates, through the Senate. The American Tariff League News Bureau moved from 333 Transportation Building to 322 Senate Office Building, to take command.

I think the people of this country are entitled to have the facts laid bare as we constantly drag them out from the corners of darkness and shielded places.

Mr. BLAINE subsequently said: I ask that I may read into the RECORD a portion of the testimony given this morning before the lobby committee, and that it may immediately follow my previous remarks. It comprises a very few questions and answers.

The PRESIDING OFFICER. In the absence of objection, permission to do so will be granted.

Mr. BLAINE. After discussing the data that Doctor Faubel had prepared for the Senator from West Virginia [Mr. Goff], the following testimony was adduced:

Senator BLAINE. Well, after this data was prepared there was some question as to who should deliver the speech, was there not? That is, you had a sort of a conference to determine who would be the most appropriate Senator to deliver the speech?

Mr. FAUBEL. I did not have that conference, Senator. I knew that there was some consideration being given as to—

Senator BLAINE. As to who should deliver the speech?

Mr. FAUBEL. As to who should deliver it, yes.

Senator BLAINE. From whom did you get that information?

Mr. FAUBEL. It may have been from Senator GOFF.

Senator BLAINE. Or Senator GRUNDY?

Mr. FAUBEL. Possibly.

Mr. BLAINE. Well, what did they talk about when you received that information?

Mr. FAUBEL. When I received what information, Senator?

Mr. BLAINE. That some question as to who should deliver the speech based upon the data that you had prepared?

Mr. FAUBEL. As I recall it, simply that it had not been decided who would make the best presentation of it, and that was to be decided, but that was no part of my job.

Mr. GOFF. Mr. President, there is little I desire to say in reply to the Senator from Wisconsin [Mr. BLAINE] but I do rise to a question of personal privilege and personal statement.

I am surprised that a committee of the Senate—an agency, so to speak, of the Senate legislatively, morally, and legally—should assume always to cast reflections, sometimes directly, more often indirectly, upon those whose views are not in accord with theirs. I think that when a subcommittee of the Senate so acts and so reports it is transgressing its authority, and it is not making to the Senate a report consonant with the motives that actuate this body in creating or in appointing such a committee.

Mr. President, if the Senate should undertake to investigate the sources of data and facts contained in all the speeches I wonder when it could find or it would have the time to devote to its proper legislative functions. The whole purpose of the remarks of the Senator from Wisconsin is to make, in the way in which he hopes and thinks it does, some reflective answer to the speech to which he refers. That speech speaks for itself, Mr. President; and I do not intend to repeat it or even to attempt to justify it. You can go through it with the fine-toothed comb of the coalition, and you can not find anything that does not smack of the truth based on the facts. It is devoid of opinion; it is devoid of rancor; and it has not in it any personal animadversions whatsoever.

Mr. President, I wonder if this committee, when it seems to come in with one spokesman, as it has done on so many occasions, is reporting for the committee. If he is reporting for the lobby committee, obviously that committee has transgressed its prerogative.

Mr. CARAWAY. Mr. President, may I ask the Senator a question?

Mr. GOFF. Certainly.

Mr. CARAWAY. What is the Senator complaining about? Does he object because the facts are developed? Is that it?

Mr. GOFF. I am objecting to the inferences contained in the remarks of the Senator from Wisconsin [Mr. BLAINE].

Mr. CARAWAY. Oh, well, I thought it was the committee that the Senator was complaining about.

Mr. GOFF. I do not know whether the committee is back of this. Possibly it is.

Mr. CARAWAY. The committee is back of any investigation that develops the facts. If the Senator objects to the facts, he will have to object to the witnesses. If the Senator objects to the fact that the American Tariff League furnished him certain information, we are not responsible for it. We did not ask the Senator to take it.

Mr. GOFF. I have a right to obtain the facts, if they be facts, from any source whatsoever.

Mr. CARAWAY. Oh, no one objects to that. Does the Senator object to the people knowing that he does it?

Mr. GOFF. Not in the least, not a bit of it.

Mr. CARAWAY. Then what is the Senator complaining about?

Mr. GOFF. I am complaining, as I will state before I finish, why the Senator from Arkansas takes exception to what I am saying about a committee of which he is a member.

Mr. CARAWAY. Oh, Mr. President, I do not take exception to anything the Senator says. I do not know the origin of his remarks, and I would not except to them if I knew. All the committee does—and all I wanted to say was that I thought as I listened to the Senator that he was complaining about what the committee did. If he is complaining about what the Senator from Wisconsin said, of course that is a question between him and the Senator from Wisconsin.

There is not a line in what the committee did except what somebody swore to under oath. If they told a lie, then the Senator can denounce them for it. They made the record, and every line of it has been made by people who were friendly to the cause that the Senator from West Virginia was supporting.

Mr. GOFF. Mr. President, the Senator from Arkansas has now delivered himself of his opinion, which he is entitled to do.

Mr. CARAWAY. It is not opinion; it is the fact.

Mr. GOFF. Now I shall continue my remarks.

The complaint I am making is that whenever the lobby committee sees fit to reply to something that some one has said or done whose actions or whose voice does not meet with the approval of the committee, the committee attempts, by bringing out some testimony before it, to cast reflections upon the Senator so speaking.

Mr. WALSH of Montana. Mr. President—

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Montana?

Mr. GOFF. I yield.

Mr. WALSH of Montana. The remarks of the Senator are in the nature of a criticism of the action of the committee. Indeed, he was quite direct in his accusations against the committee. The committee found Mr. Faubel in charge of the work of the American Tariff League here, active in connection with this tariff legislation. They had him on the stand some time ago, and he told quite at length about his activities. He was again on the stand to-day. Does the Senator contend that it was improper of the committee to find out from Mr. Faubel what he had been doing?

Mr. GOFF. Not in the least.

Mr. WALSH of Montana. That is all the committee did.

Mr. GOFF. I make no such complaint. I am addressing myself now to the remarks of the Senator from Wisconsin.

Mr. WALSH of Montana. But the Senator went further, as I understood him, and criticized the committee for something it had done.

Mr. GOFF. I am not criticizing the committee, unless the committee is authorizing these piecemeal reports from time to time by some Member who speaks, apparently, in his own behalf.

Mr. WALSH of Montana. The Senator did not undertake to speak for the committee.

Mr. HASTINGS. Mr. President, will the Senator yield?

Mr. GOFF. I yield.

Mr. HASTINGS. I want to inquire whether there has been any report from the committee to the Senate as to what happened to-day.

Mr. GOFF. None that I know of, and it is to that question I was addressing myself.

Mr. BLAINE. Mr. President, will the Senator yield?

Mr. GOFF. Certainly.

Mr. BLAINE. I want to state for the benefit of the Senator from West Virginia that I spoke in my own right, as a Member of this body, using material that is of a public character and of a public nature, which has been transcribed and will be printed, as all other committee proceedings are printed.

Mr. HASTINGS. And before the committee makes a report to the Senate.

Mr. BLAINE. I am not bound to delay any comments I choose to make by what the committee may or may not do. This information is information to which the public is entitled and entitled to now. I make no excuse or apology for having delivered to this body the information brought before the committee this morning, and I am surprised at the Senator that he should suggest a criticism when a Senator undertakes to present to this body information that is material to a consideration of the tariff bill.

Mr. HASTINGS. Mr. President, will the Senator from West Virginia yield further?

Mr. GOFF. I yield.

Mr. HASTINGS. The only point I make is whether or not it is from the committee, or whether it is merely from a member of the committee who is reciting what happened there. That is the only point I make.

Mr. GOFF. Mr. President, let me digress just one moment in support of the statement I made that when some Member of this body takes a position that is not popular with many other Members of the body he is attacked by the committee or by some member of the committee speaking in his own right, as he has a perfect right to do.

Let me take the testimony of the lobby investigating hearings, and let me refer to a fact which I have never heard any member of the committee develop or bring out, and which I never heard the junior Senator from Wisconsin bring out.

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. GOFF. Certainly I yield.

Mr. NORRIS. I would like to ask the Senator whether, speaking of the information the Senator received from Doctor Faubel, the doctor approached the Senator and gave the information, or did the Senator approach the doctor?

Mr. GOFF. I approached the doctor, because I wanted some one to make tariff investigations for me; and I wanted him to check up my data and I went to him, sought him out.

Mr. NORRIS. And he did the work?

Mr. GOFF. He did just what I asked him to do, and he submitted to me certain data which, as he said this morning in answer to a question propounded by Senator WALSH, was largely in the form of notes and memoranda, which was true, and which he handed to me.

Now, I want to call the Senate's attention to a similar transaction here in the Senate to which I can not recall any reference having been made by any member of the lobby committee. It was when the lobby committee was examining on Tuesday, January 14, 1930, Mr. Eugene R. Pickerel. The question was asked him by Senator ROBINSON of Indiana:

When did you see Senator MOSES?

Mr. PICKEREL. This year, do you mean, 1930?

Senator ROBINSON of Indiana. I mean 1929, during this tariff controversy.

Mr. PICKEREL. I have seen Senator MOSES at different times. I can't say what times. I have known Senator MOSES since 1921 or 1922. Whenever I am in Washington and have been since that time and have had a moment I drop into the office and pay my respects to him—since 1922. I have been down here at divers times, long before the tariff bill was under consideration by Congress, and I would drop up here to see him.

Senator ROBINSON of Indiana. Whom else did you see?

Mr. PICKEREL. I saw Senator LA FOLLETTE and Senator KING.

Senator ROBINSON of Indiana. How much time did you spend with Senator LA FOLLETTE?

Mr. PICKEREL. Oh, very little. I could not say how much time.

Senator ROBINSON of Indiana. Did you work with Senator LA FOLLETTE any?

Mr. PICKEREL. I prepared some material for him at his request.

Senator ROBINSON of Indiana. Was the material used?

Mr. PICKEREL. I can't say. Some of it.

Senator ROBINSON of Indiana. Any of it that you know of?

Mr. PICKEREL. Some of it.

Senator ROBINSON of Indiana. How?

Mr. PICKEREL. Some of it on the floor of the Senate.

Senator ROBINSON of Indiana. In speeches?

Mr. PICKEREL. Yes.

Senator ROBINSON of Indiana. The matter that you had prepared—

Mr. PICKEREL. Portions of it—woven in, you know.

Senator ROBINSON of Indiana. Woven in, you say? How do you mean "woven in"?

Mr. PICKEREL. Well, it is not my language, or anything like that. He asked me for material and I gathered it for him.

Senator CARAWAY. Would you mind explaining to me what you mean by "material"?

Mr. PICKEREL. Facts or statements of statistics.

Senator CARAWAY. Figures with reference to manufactures, imports, duties, and so on?

Mr. PICKEREL. Manufactures, imports, duties, and so forth, and I prepared for him, you might call it, a primer in the chemical schedule.

Senator ROBINSON of Indiana. A primer?

Mr. PICKEREL. You can call it a primer or a digest or whatever you wish to call it. It covered all of the amendments, either by the House or the Senate Finance Committee, on these commodities covered by these amendments. It was imports, exports, tariff history, uses, and so forth. I will be glad to give you a copy and give it to the committee.

Senator ROBINSON of Indiana. Well, it is in the record.

Mr. PICKEREL. No, no.

Senator CARAWAY. You would have to give us a hornbook, you know.

Mr. PICKEREL. It is quite a document. I will be glad to give it to you.

Senator BLAINE. You say it is not in the record?

Mr. PICKEREL. No, no.

Senator ROBINSON of Indiana. I understood you to say it was woven in.

Mr. PICKEREL. Well, I prepared figures, and so forth. He might have put some of those in the record.

Senator ROBINSON of Indiana. Might have?

Mr. PICKEREL. He might have referred to it.

Senator ROBINSON of Indiana. Well, don't you know it is in? Why do you say "might have"?

Mr. PICKEREL. Well, I think it is. This is all obtainable.

Senator ROBINSON of Indiana. Well, now, you think—you know it is, don't you?

Mr. PICKEREL. That is all obtained from Government statistics, Government publications, and so forth.

This examination proceeded, and also brought out certain other facts relating to the preparation and the obtaining of data for Senator KING. It is not necessary to proceed with it, but what I say, and what I said at the beginning of my remarks, is simply this, no reference has been made by this committee to the testimony of Doctor Pickerel and no reference has been made to his testimony concerning Senator LA FOLLETTE. But

when some one comes in before this committee and says, "I obtained some data for Senator GORR," then, of course, they say that the data were prepared, and the inference is given out that Doctor Faubel prepared the speech which I delivered on this floor last Saturday.

I care not who thinks I did not prepare this speech. It speaks for itself, as I said. But what I do object to, and what I will continue to object to, is that I should have my conduct in reference to asking some one for data picked out and made the subject of discussion here, when other Members of this body can ask for a multiple of the information requested from Doctor Pickerel, a great chemical expert, who says that he prepared data and statistics and then supposedly sat in the gallery and heard what he had prepared emanate from the lips of Senators upon the floor of the Senate in justification of the contention which they made.

Again, I say, such conduct, regardless of whether it be the voice of the committee or the voice of a member of the committee appointing himself to speak for himself, is unfair; that it is ungenerous to pick out those whose speeches you disapprove and suppress and submerge any and all reference to those whose speeches you do approve.

Mr. KEAN. Mr. President, will the Senator yield to me?

Mr. GOFF. I yield.

Mr. KEAN. I would just like to ask the Senator who Doctor Pickerel is. I do not know who he is.

Mr. GOFF. I understand that Doctor Pickerel is a representative of the foreign importers here in the city.

Mr. KEAN. Does he represent the German interests?

Mr. GOFF. I understand he represents the German interests in the city of Washington and that he has represented their interests in the tariff hearings here in the Senate. That is my understanding. I have never met the gentleman, and have never gone at all into the question of either his heredity or his present employment.

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. GOFF. I yield.

Mr. LA FOLLETTE. I hope the Senator in referring to the testimony and drawing inferences from it will confine himself to the testimony. The Senator just stated that he presumed that Doctor Pickerel went into the gallery and listened to the data which he had prepared being uttered by the Senators for whom he prepared it. If the Senator will trouble himself to look at the exhibit which Doctor Pickerel filed with the committee, he will find that it is a factual statement of imports and exports and the uses of chemicals, prepared from official documents. It was not made a part of any speech made by me excepting as I used the statistical and chemical information which it contained. That exhibit is now on file in the committee. It is a document of upward of 300 pages.

Mr. GOFF. I desire to be perfectly fair with the Senator, and I am very glad the Senator called my attention to that. What I had in mind when I made the remark I did was the testimony of Doctor Pickerel on page 4975. I read it once, but let me reread it:

Senator ROBINSON of Indiana. Was the material used?

Mr. PICKEREL. I can't say? Some of it.

Senator ROBINSON of Indiana. Any of it that you know of?

Mr. PICKEREL. Some of it.

Senator ROBINSON of Indiana. How?

Mr. PICKEREL. Some of it on the floor of the Senate.

Senator ROBINSON of Indiana. In speeches?

Mr. PICKEREL. Yes.

Senator ROBINSON of Indiana. The matter that you had prepared—

Mr. PICKEREL. Portions of it—woven in, you know.

Mr. GLENN rose.

Mr. GOFF. I had that fact in mind when I made the statement that Mr. Pickerel, not having the privilege of the floor, no doubt heard this from the gallery.

Mr. LA FOLLETTE. But I asked the Senator to confine himself to the testimony as it was adduced before the committee, in which Doctor Pickerel testified that the primer which he prepared for me and a copy of which I filed with the committee, was compiled from Government statistics and contained information of a statistical character. I judge from the inference which the Senator drew from it that he was under the impression that Doctor Pickerel had testified that he had prepared certain language which had been woven into any speeches which I delivered on the floor. That was not the fact.

Mr. GOFF. I did not mean to draw that conclusion or that inference at all.

Mr. BLAINE. Mr. President, will the Senator yield?

Mr. GOFF. I will yield first to the Senator from Illinois, who tried previously to interrupt me.

Mr. GLENN. I simply rose to ask if that was not likewise true of the testimony concerning the data furnished to the Senator from West Virginia? It came from official sources and was a statement of facts turned over to him as a means of information. I think if the Senator from West Virginia has made any grave error in this matter about which he has been so violently assailed here, it was because he has violated the rule or practice followed by some other Members of the Senate in obtaining information for use before the Senate.

Mr. GOFF. I now yield to the Senator from Wisconsin.

Mr. BLAINE. In connection with the primer to which the Senator referred, I want to advise the Senator that the primer on chemicals, which was a statement of facts, in relation to each chemical, was delivered to the committee and the Senator from Indiana [Mr. ROBINSON] had the use of that primer when he was investigating a proposal to put on the free list all chemicals that enter into fertilizer. I would like the Senator to have the information that the primer was available to anyone who chose to come and obtain it from the committee.

Mr. GOFF. Where is that primer, may I ask?

Mr. BLAINE. The last I know of the primer is when it was in the possession of the Senator from Indiana [Mr. ROBINSON].

Mr. GOFF. Was it a primer of American or foreign statistics?

Mr. BLAINE. Oh, no; it was not a primer of statistics at all. The Senator has seen the United States Pharmacopœia?

Mr. GOFF. Yes.

Mr. BLAINE. It was in the nature of that publication.

Mr. GOFF. And it related to chemicals as they came into this country?

Mr. BLAINE. Oh, no. It related to a description of chemicals, a scientific description of chemicals.

Mr. GOFF. It was a sort of a medical book for beginners?

Mr. BLAINE. The Senator might so characterize it and not be very far from the truth.

Mr. GOFF. Mr. President, I do not care to say anything further except to make this remark to the Senator from Wisconsin and some of his associates, that I am not in the least embarrassed by what he has said. I have been amused rather than embarrassed. I wanted merely to call his attention to the fact that I think it is futile, and I do not think it is quite becoming or creditable to resort in a matter of this character to such tactics.

Mr. GRUNDY. Mr. President, I desire to occupy only a moment or two of the time of the Senate, but it seems to me that in view of the discussion that has been going on, there are a few facts that ought to be presented to get the record straight.

I was asked on the floor of the Senate yesterday several questions by the Senator from Arkansas [Mr. CARAWAY], and I gave, as nearly as I could at the time, a concise answer to the questions asked, without having at all in mind the background or the use that might be made of them. The question concerning my offices has been brought into the discussion and certain statements have been made which are entirely out of order and not in accordance with the facts. The offices which have been allotted to me by the Committee on Rules are under the direction, and exclusively under the direction and control, of my secretary, Mr. Leighton C. Taylor, who has charge of the personnel that occupies those offices. Mr. Doane has nothing whatever to do with either one of those offices.

Mr. Doane has been identified with me in various economic and civic work for a period of six or seven or eight years. His is one of the brightest minds that I know of in the economic field, and especially as connected with the tariff. The only reason he is not in the offices which I occupy in the Senate Office Building is that there is no room there for him to do the kind of work that he has to do. Owing to the vast number of people who are visiting there all the time, it is impossible for him to concentrate there as his duties require.

Mr. BLAINE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Wisconsin?

Mr. GRUNDY. I yield.

Mr. BLAINE. Has not Mr. Doane a desk and typewriter in room 322, Senate Office Building?

Mr. GRUNDY. I take it he has the use of it when he stops in there to do any work. There are a number of desks and typewriters there, and I have no doubt he has the use of any of them.

Mr. BLAINE. He testified that he did his typing in that office.

Mr. GRUNDY. He may do so at times when he is there. If it had been possible for me to have had so valuable and useful a man in the office with me, I would have wanted to have him there; but it was not possible, owing to the vast number of people that come here from Pennsylvania who want to discuss

their tariff problems with some one attached to the office. Therefore, by his suggestion and by common consent, he made his headquarters at the Lafayette Hotel and for days at a time never came near the Senate Office Building. When he would come there with work that I wanted or which prompted me to send for him to come there, and there were corrections or alterations to be made in his work, naturally he would make use of any of the office appliances which were available. As I have said to the Senator from Wisconsin, naturally he would use, in this office where the stenographers were and where the typewriters were, the appliances that were there, placed there at my disposal.

There is nothing at all there that is not connected with any other Senator's office. Mr. Doane is doing statistical work for me—the same kind of work that others are doing for Senators who are interested in the tariff. The only difference is that because of the vast number of industries which we have in Pennsylvania and their very great and earnest interest in the tariff situation, more people, vastly more people, are brought to my offices, and especially so with the senior Senator from Pennsylvania [Mr. REED] away, than probably come to the offices of the average Senator.

When I stated yesterday that Mr. Doane's headquarters were at the Lafayette Hotel and that he visited the Senate Office Building from time to time, I was entirely within the facts; and the reasons for that were not because it was not my desire that he should be there—and he properly should be there—but it is almost impossible for him to perform the services that were assigned to him there, in the midst of the great number of people who are continually interrupting, and in the midst of the hum of the typewriters and all that sort of thing.

I wanted to get that fact into the RECORD, because it has been intimated that there was some dark and hidden secret, or connivance with somebody, somehow, or somewhere, to put something over on the American people that could not or should not be seen by light of day.

In the course of the work that was done prior to my entering the Senate, when I had offices of my own in the Transportation Building, we accumulated certain data in regard to the tariff. We had a large number of people coming there, all of whom were interested in the tariff, and we had different briefs and different Government publications and other matters that pertained to the tariff. When I was inducted into office and took possession of the rooms which were assigned to me in the Senate Office Building, I naturally brought that information and those publications with me and placed them in the only room that I had that would hold them, namely, room 322, which has been referred to. It was not the moving of that office up there. It was simply the moving of the data which is being used by me and by those who are associated with me and by those who come here from Pennsylvania and want information and help.

I have been obliged to have a number of secretaries, extra typists, and extra stenographers, owing to the pressure of business. They have been paid for by myself, at no expense to the Government, and there has been no effort to unload them on the Government. This help has been employed in order that I might properly and effectively represent the people of the State of Pennsylvania. They come down here, the representatives of industry and the representatives of labor alike, many of them in dire distress as a consequence of foreign competition which our tariff duties should curb. And I shall continue to do all that I can to procure for them the protection they require and which was pledged to them by the platform of the Republican Party, which party is supposed now to be in control of the Government.

If there is anything I have not done that I could do, or if there is anything more that I can do to help those industries and their labor, I want to do it. Moreover, if there were more men like Mr. Doane that I could get, if there were half a dozen men like him that I could get to be here on this work, to help bring information, to help bring arguments, to help bring statistics, that would perhaps convince the Senate that higher rates should be put in the bill, and by which proper protection of those industries and their labor could be brought about, I certainly would want to have those men here. I have no apologies whatever to make for the relationship, or for the manner in which his services are being performed. They are the best arrangements that possibly can be made under the crowded condition under which Senators are assigned room here in the Senate Office Building, even for as large a State as that from which I come, for the performance of my duties as a representative of that State in the Senate.

ADDITIONAL PETITION PRESENTED

Mr. THOMAS of Oklahoma presented a petition of sundry citizens of Comanche County, Okla., praying for the passage

of legislation granting increased pensions to Spanish War veterans, which was ordered to lie on the table.

ADDITIONAL REPORTS OF COMMITTEES

Mr. CAPPER, from the Committee on the District of Columbia, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 3440) authorizing the exchange of 663 square feet of property acquired for the park system for 2,436 square feet of neighboring property, all in the Klinge Ford Valley, for addition to the park system of the National Capital (Rept. No. 259); and

A bill (S. 3441) to effect the consolidation of the Turkey cThicket playground, recreation, and athletic field (Rept. No. 260).

INTERNATIONAL FUR TRADE EXHIBITION AND CONGRESS

Mr. CAPPER. From the Committee on Foreign Relations, I report back favorably with two slight amendments the joint resolution (H. J. Res. 205) to provide for the expenses of participation by the United States in the International Fur Trade Exhibition and Congress to be held in Germany in 1930, and I submit a report (No. 258) thereon.

This measure has the approval of the President, of the Department of State, of the Department of Commerce, and of the Department of Agriculture, and it has passed the House. I ask for its immediate consideration.

Mr. WALSH of Massachusetts. I understand the Senator to say that it is a unanimous report of the committee.

The PRESIDING OFFICER. The Chair will state that it was a unanimous report.

Mr. WALSH of Massachusetts. There is no objection to its passage from any source of which the Senator is aware?

Mr. CAPPER. It is a unanimous report of the committee and has the approval of three Cabinet officers.

Mr. WALSH of Massachusetts. What is the appropriation authorized?

Mr. CAPPER. Thirty thousand dollars.

Mr. WALSH of Massachusetts. I have no objection.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The amendments of the Committee on Foreign Relations were, on page 2, line 3, after the words "expenses of," to strike out "the delegates in attending" and insert "participation by the United States in," and in line 5, after the word "elsewhere" to insert "but not including expenses or salaries of delegates, for," so as to make the joint resolution read:

Resolved, etc., That the President of the United States be, and he is hereby, authorized and requested to accept the invitation of the German Government to participate in the International Fur Trade Exhibition and Congress, to be held in Leipzig, Germany, during June, July, August, September, 1930, and to appoint delegates to said International Fur Trade Exhibition and Congress.

SEC. 2. That the sum of \$30,000, or as much thereof as may be necessary, is hereby authorized to be appropriated for the payment of the expenses of participation by the United States in such Congress, including the compensation of the employees in the District of Columbia and elsewhere, but not including expenses or salaries of delegates, for preparation, transportation, and demonstration of an appropriate exhibit portraying the development of the fur industry in the United States, the production, conservation, and utilization of fur as a natural resource, and demonstrating the importance of forests as natural habitats for fur animals, transportation, subsistence, or per diem in lieu of subsistence (notwithstanding the provisions of any other act), printing and binding, rent, and such miscellaneous and other expenses as the President shall deem proper.

Mr. CAPPER. The purpose of the second amendment is to prevent any possibility of delegates being appointed at the expense of the Government.

The amendments were agreed to.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

ADDITIONAL BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred, as follows:

By Mr. SHEPPARD:

A bill (S. 3836) for the relief of David McD. Shearer; to the Committee on Claims.

By Mr. THOMAS of Oklahoma:

A bill (S. 3837) for the relief of Patrick J. Mulkaren; to the Committee on Claims.

CHANGE OF REFERENCE

On motion of Mr. FESS (Mr. JONES in the chair) the Committee on the Library was discharged from the further consideration of the bill (S. 3811) to provide a southern approach to the Arlington Memorial Bridge, and for other purposes, and it was referred to the Committee on Public Buildings and Grounds.

MOUNT VERNON-ARLINGTON MEMORIAL BRIDGE HIGHWAY

The PRESIDING OFFICER (Mr. JONES in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 3168) to amend the act entitled "An act to authorize and direct the survey, construction, and maintenance of a memorial highway to connect Mount Vernon, in the State of Virginia, with the Arlington Memorial Bridge across the Potomac River at Washington," by adding thereto two new sections, to be numbered sections 8 and 9, which was, on page 3, to strike out lines 16 to 25, inclusive, and all of page 4, and also lines 1 to 5, inclusive, on page 5.

And to amend the title so as to read: "An act to amend the act entitled 'An act to authorize and direct the survey, construction, and maintenance of a memorial highway to connect Mount Vernon, in the State of Virginia, with the Arlington Memorial Bridge across the Potomac River at Washington,' by adding thereto a new section, to be numbered section 8."

Mr. WALSH of Massachusetts. Mr. President, is the difference between the House and the Senate as to the Mount Vernon Highway serious?

Mr. FESS. It really is, in my opinion. The Senate provided for a method by which we could conduct a concession building at the other end of the memorial, and the House committee cut that out. I think it is quite important.

Mr. WALSH of Massachusetts. I agree with the Senator. I hope the Senate provision will be sustained in conference. I also hope we will get speedy action on the bill, which has great merit, and is really a great and important national undertaking.

Mr. FESS. I move that the Senate disagree to the amendment of the House, ask for a conference, and that the Chair appoint the conferees on the part of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Ohio.

The motion was agreed to; and the Presiding Officer appointed Mr. FESS, Mr. HOWELL, and Mr. McKELLAR conferees on the part of the Senate.

THE FUTURE OF THE UNITED STATES—ADDRESS BY SENATOR DAVID I. WALSH

Mr. BORAH. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an address by the junior Senator from Massachusetts [Mr. WALSH] on the Future of the United States, which was delivered last evening over the National Broadcasting Radio Forum.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

My fellow Americans, from an infant Nation of scarcely more than a dozen States and some 4,000,000 people, we have grown to a Union of 48 States, with a population of approximately 130,000,000. We enjoy every advantage of varied climate and material resources over a vast territory. We have 100 cities of over 100,000 population, linked together by a system of transportation secure and rapid beyond the dreams of the past. Our farms number nearly six and one-half million, and the annual value of farm products runs well over \$12,000,000,000. Our mineral products in 1928 were worth about five and one-half billions, and our manufactured products nearly sixty-three billions.

We possess not only immense natural resources but also a freedom of intercourse, personal and commercial, never before heard of. More than any other people we enjoy also the benefits of amazing inventions that affect our lives happily at a hundred points. Last year there were, for instance, over 32,000,000 automobiles in use in the United States—more than three-fourths of all in the world. Marvelous, indeed, and unparalleled is America's record of material progress!

To what source can we trace the existence and development of our stupendous growth and power? Foremost is the realization of how bounteous Nature and Nature's God has been to us. Innumerable, indeed, are the blessings upon our efforts and those of our forbears, bestowed by the Supreme Being. Without His guidance and support all the vast edifice of might and power and prosperity we boast of would crumble to naught. Every right-minded citizen will agree with me that we owe a generous recognition to the Supreme Being who has bestowed upon us solely this wealth of resources upon a scale never before witnessed in this world. We owe to Him the great fundamental duties of all religions—worship, gratitude, praise, and prayer. Whatever the forms we use, we are only discharging the debt of our hearts to our Creator and our Provider when we acknowledge His love and His never-failing concern for the welfare of the great, numerous, and prosperous people whom He has brought together in this Nation in the

heart of the New World for wonderful designs of His own, but surely for the permanent uplifting and a true progress of all mankind.

Another outstanding cause of our material welfare is the character of liberality and security of the fundamental institutions which the founders of the Nation established. Definitely and inspiringly did they express their noble purpose in the words of the Constitution's preamble, "In order to form a more perfect union, establish justice, * * * and secure the blessings of liberty to ourselves and to our posterity."

"Establish justice!" This is the beginning and the end, the alpha and the omega of Americanism. Equality of rights and opportunity, unmolested pursuit of happiness, free assembly, free speech, free press, free pulpit, free ballot—these are the foundations upon which our political and social institutions have been built. It is the spirit that inspired these principles and the application of them that alone is the solution of our future civic, social, and economic problems. In whatever direction we turn for aid, inspiration, and guidance, we revert again and again to the founders and their liberal and sagacious political philosophy.

"Establish justice!" Let me digress a moment to quote a few of the great sayings of great men with respect to justice:

Justinian, the greatest of lawmakers, says, "Justice is a firm and continuous desire to render to everyone that which is his due."

Britain's peerless statesman, Edmund Burke, proclaimed, "Justice is the great standing policy of civil society."

Our own Whittier has called justice "the hope of all who suffer; the dread of all who wrong."

Cicero puts it thus, "The foundations of justice are that none shall be harmed, and next, that the common weal be served."

The problem of our future is not merely to preserve material greatness and prosperity; rather the problem is to preserve the soul and spirit of America. The ideals and principles of the founders constitute the Nation's soul. If we lose the spirit of the fathers, we lose all—both material greatness and that which makes it worth having.

Our very accomplishments and achievements, our conquering power over things material, constitute our greatest dangers. Without a continuing and growing justice there will come into existence a vast mechanism of oppression—and a great subversion of our liberties—and the priceless heritage of our people will be gone. Those now living, if that happens, will not bequeath to their children what was handed down to them.

There are, indeed, many developments of our time that may well give us concern and cause us to give heed to what is perhaps our chief national failing—an easy-going and unthinking optimism. We take it altogether too much for granted that we shall continue to be fortunate; that ours is a land of destiny; that our superior and extensive system of education will always produce a sound discretion; that our natural resources will be inexhaustible and our genius never dimmed.

A great shift has taken place in our time from the political and social problems of a pioneer society to the dangers and problems of a grown-up nation of unprecedented proportions and power to serve mankind. In contrast to the past, the political problems of the future will be chiefly economic. Formerly our great treasury of natural resources made it unnecessary that much consideration be given to insuring an equal chance for all in the race of life. Now, with the steady depletion of our natural resources and concentration of economic power we must look more carefully into economic conditions and their effect upon the masses of the people.

The economic problems of the day, becoming ever more and more complex, evolve around the struggle of the masses in their natural aspirations to have a reasonable chance in life. In every part of the world the great struggle now, often involving political reconstructions, is for a more equitable distribution of wealth and opportunities. In certain countries the masses are going to extremes in their attempts to win this struggle which, in a different form, is here also. Our very economic greatness, our industrial efficiency, our highly speeded mass production, the vast scale of our industrial and commercial units, raises challenging questions and brings them closer to our people than ever before.

The perceptions and aspirations of the poor, of the working man and woman, the multitude, must be recognized and dealt with adequately. We must not think entirely of the strong and powerful. We must not think only of ourselves, or of our particular social class, or of our political party. More than ever we must watch, work, and think for the common welfare; and realize what are the means alone by which these problems can be solved. It is by establishing that justice—in this instance, economic justice—which the fathers of the Republic decreed. "Abolish justice," once said St. Augustine, "and what are governments but great robberies?" Not only governments but economic systems resting upon them, may become great instruments of oppression and denial of opportunity.

ESTABLISH JUSTICE

The establishing of justice in our time means the adequate facing and handling of complicated economic questions; and they are difficult because of their complexity. They require wide acquaintance with facts and an amount of study that the average man is hardly in a position to give. He can not take the time; he is necessarily engrossed in the stern struggle to provide a livelihood for his family. It is not to be

wondered at, therefore, that in desperation and perplexity, many may be led to form judgments through prejudice and consequently to accept unsound remedies, or be swept into the adoption of one or another of the dangerous "isms" of the day. More than ever is there need of statesmanship and of education in the people, that seeks truth and justice and an understanding of our fundamental political ideals, to serve as the support of statesmanship.

Great as are the dangers and the difficulties, so even more efficacious are our spiritual resources to overcome them—the fruits of wide-spread education, free political institutions, the good sense and well-directed ambition of our people and a wholesome family life. There is no force or influence for our future security greater than the family. The family is a little state, the school of all the basic virtues. From the prudent family ever springs foresight, thrift, economy, equality between parents and children, patience and resignation in trial, the spirit of mutual concession, forbearance, and the urge to progress. The ideals of the family humanize and correct the dangerous elements of our being; they heal and purify the coarser traits of human nature; in a word, they cultivate and spread abroad the sense and spirit of justice. The future of America is in the keeping of the American family.

Not for a moment should we be content with merely holding the ground won, with digging in and standing where we now are. We should lay hold on a new and truly ambitious and achievable program for the substantial betterment of economic conditions and our social life. We should hold in our thought that there is a great prize ahead of us and that we have the determination and intelligence to win it. I can not perhaps do better to help arouse you to civic service than to close by quoting the stanzas of a great English poem by William Blake.

And did those feet in ancient time
Walk upon England's mountain green?
And was the holy Lamb of God
On England's pleasant pastures seen?
And did the Countenance Divine
Shine forth upon our clouded hills?
And was Jerusalem builded here
Among those dark Satanic mills?
Bring me my bow of burning gold!
Bring me my arrows of desire!
Bring me my spear: O clouds, unfold!
Bring me my chariot of fire!
I will not cease from mental fight,
Nor shall my sword sleep in my hand,
Till we have built Jerusalem
In England's green and pleasant land.

THE WORLD COURT

Mr. NYE. Mr. President, I ask leave to have published in the RECORD an article by the Senator from Minnesota [Mr. SHIPSTEAD] appearing in the last issue of the Washington (D. C.) Sunday Herald on the subject of the World Court.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D. C.) Herald of Sunday, March 2, 1930]

"ADAMS AND OTHER FOREFATHERS BLOCKED EUROPEAN ENTANGLEMENTS," SAYS SENATOR SHIPSTEAD—"PLEAS TO-DAY SAME AS A CENTURY AGO—'AMERICA'S DUTY TO HUMANITY' WAS THE CRY THEN, AS NOW, IN INTRIGUES TO ENMESH OUR NEW REPUBLIC IN THE OLD WORLD LEAGUE OF NATIONS OF THAT ERA"

(By HENRIK SHIPSTEAD, United States Senator from Minnesota and member of the Senate Foreign Relations Committee)

If Rip Van Winkle, after a sleep of 100 years, could return to the American political arena and see the attempt now being made to put the United States into the League of Nations through the League's World Court, he would be bound to exclaim: "Same old stuff!"

I have made a careful study of the diplomatic correspondence of a century ago when the nations of Europe were seeking to prevail upon the United States to go into the League of Nations of that era, which was known as the Holy Alliance.

This perusal reveals an astonishing lack of originality, both in purpose and phraseology, of the diplomats and statesmen of recent years who have been so ardently engaged in orating and emotionalizing for the purpose of influencing the American people to form a political union with the political systems of Europe.

The internationalists of their time, here in America, deluged the public with propaganda. Then, as now, they were influenced by the marplotic statesmanship of Europe. Then, as now, they prated of "America's duty to humanity." Then, as now, they employed such pious phrases as "moral participation" and "moral leadership to the world." Then, as now, they attacked "the demagogues in Congress" who saw through their schemes and stubbornly refused to be a party to them.

Then the people knew the value of democracy. They had gone through a bitter war, enduring sufferings, hardship and death, to attain independence. American statesmanship had reached the zenith of its career.

Jefferson, the Adamses, Monroe and Madison were wise and patriotic men. They loved their country as they loved life itself. An intense nationalism surged in their breasts. They foresaw that the United States, to attain her destiny, to conserve the rights of her own people and be a permanent influence for good in the world, must keep apart from alliances and intrigues with foreign governments. What they did then must be done now by the American people as a whole.

"ALL MEN EQUAL"—"DOCTRINE WAS CHALLENGING OLD ORDER YEARS AGO"

One hundred years ago the idea of political democracy was challenging the old order of political autocracy from top to bottom. The revolution of the American Colonies against King George had established as a principle for the first time the doctrine that "all men are created equal."

The Revolution of the French people against the Bourbons of France had reiterated the doctrine of equality in the slogan: "Liberty, Equality, Fraternity." Napoleon seized upon it, discarded the idea of "divine right of kings" and he began to make and unmake kings over night, altering the map of Europe.

With the forces of democracy challenging the existing order, the four great monarchies of Europe—Russia, Austria, Prussia, and England—formed themselves into an alliance to get rid of Napoleon and to restore the autocracy of the Bourbons.

"FOR PEACE"—"HOLY ALLIANCE PICTURED AS MOVE TO AID AMITY"

Having accomplished this, the sovereigns established their Holy Alliance to consolidate their war booty, to serve as a continuing barricade against the latent forces of democracy, and they proclaimed, just as they did at Versailles, that it was "in the interest of peace."

This alliance was conceived in the brain of Alexander of Russia, a strange character, a peculiar mixture of duplicity and idealism. He broached the idea to William Pitt, Foreign Minister of Great Britain, who seized it greedily, and whose reply to Alexander contained, among other statements, the following:

"Through this means the possession of the respective territories of the powers of Europe would be fixed and recognized. To secure this end, the powers must engage themselves reciprocally to maintain and support each other against all efforts to disturb and infringe upon their rights. Such a treaty would endow Europe with a common law and tend as much as possible to repress all enterprises troubling the general peace."

It is quite obvious what they were driving at. They were to band themselves together, as the present League of Nations does, to make war whenever necessary to protect their conquests from the recent war and to destroy any movements for independence among their colonies, just as England is doing in India to-day.

And it was done in the name of peace. It provided, under the term "amicable intervention," for the raising of an international army to which each nation would supply 60,000 men. Under cover of this "Holy Alliance," which was signed by Russia, Austria, and Prussia, a secret treaty was formed by Austria, Russia, and Great Britain by which they agreed to employ their joint forces to maintain the kings on the throne apart from the agreements made in the Holy Alliance.

Castlereagh represented Great Britain at the conferences, and Metternich, the dominant statesman of his time, was there for Austria. Pitt sent Castlereagh a confidential memorandum, the substance of which was that Alexander was a good fellow and meant well, but that Castlereagh and Metternich must get together and "gang" the idealistic Russian. Rip Van Winkle could well observe that as Alexander had his Castlereagh and Metternich, so Woodrow Wilson had his Clemenceau and Lloyd George.

ANGLED FOR UNITED STATES—"EUROPE URGED AMERICA TO JOIN ALLIANCE"

Then the European nations sought, as now, to seduce the United States into their Holy Alliance "in the interest of peace." And in America, as now, the pious cry was taken up in all solemnity and, I suppose, in honesty, by those good people who, ignoring the history of 2,000 years, are prone to believe that peace is just around the corner; that anything labeled "peace" must be peace.

On April 9, 1816, the Massachusetts Peace Society wrote a glowing letter to Emperor Alexander, "Your Imperial Majesty," declaring its purpose "to disseminate the very principles avowed in the wonderful alliance." The New York Evening Post editorialized to the optimistic extent of proclaiming that "the members of the holy league will establish an imperishable claim on the gratitude of mankind."

Alexander sent private instructions to his minister at Washington to obtain the adherence of the Government of the United States to "the Holy League of Peace."

But the minister ran up against Adams and the other American patriots and he had his troubles. He wrote in a private reply to Alexander that he found in the American administration "a great cunning and a great ability." He was promptly recalled and in June, 1819, Alexander sent Poletica, the outstanding Russian diplomat of the era, to the United States to get us into the league.

Thereafter the drive to inveigle the United States increased in intensity and duplicity. While Poletica was at work here the powers of Europe met at Aix-la-Chapelle and received from Russia and France a confidential communication, in which the following was contained:

"It is believed that the plenipotentiaries of the five powers at Washington should take the steps necessary to persuade public opinion in the United States, as well as the Executive, to adopt their point of view. This delicate negotiation should be conducted with much care.

MUCH THE SAME—"PROPAGANDA OF TO-DAY LIKE THAT OF LONG AGO"

"Verbal communication should be preferable to written notes in order to avoid giving ammunition to the opponents, who would seize upon the idea of foreign influence as contrary to American institutions."

How similar does that paragraph of secret advice correspond to the propaganda of to-day! And the following:

"The people of the United States could be told they are themselves a European people, Christians, and, therefore, like Europe, interested in questions of a general nature."

Alexander was still busy. He wrote his ambassador here to stimulate the thought that "the misfortunes of Europe are the cause of American commercial prosperity." But the ambassador was having the difficulties of his predecessor with the stubborn American people. He wrote to a friend that the American people were suspicious of the purposes of the Governments of Europe, and he belabored the old irreconcilables in Congress as follows:

"It is without doubt a veritable catastrophe that the imprudent conduct of the reactionary court of Madrid in the Colon affair and in its general colonial system should have been the cause of so much exasperation. This furnishes fuel for England's mercantile cupidity and the demagogues of the American Congress."

John Quincy Adams saw through it all, because he sent instructions to Middleton, the American ambassador at St. Petersburg, that "the political system of the United States is essentially extra-European. To stand in firm and cautious independence of all entanglements in the European system has been a cardinal point of their policy from 1783 to this day."

Adams declared in his instructions to Middleton that there were fundamental differences in the political systems of the United States and of the States of Europe, and that their incompatibility precluded any desirability of connecting them.

That is the point. The political system of the United States stands unchanged. It is a democracy in a republic. The political systems of Europe are largely monarchies, empires, or dictatorships. Rip Van Winkle would find them as incompatible to-day as they were 100 years ago. Possibly he would have difficulty, however, in finding a Jefferson, a Madison, a Monroe, or a John Adams.

The league of 100 years ago collapsed under its own war-making weight. It did not stop war. It produced wars. History repeats itself. The American people must be alive to the fact that their greatest destiny now, as then, their greatest influence for good now, as then, is in keeping apart from the war-making instrumentalities of other continents.

FEDERAL POWER COMMISSION

Mr. NORRIS. Mr. President, some time ago the junior Senator from Montana [Mr. WHEELER] delivered an address on what took place before the Committee on Interstate Commerce regarding water power and the activities of the Power Commission and particularly some of the employees. A great deal was said about the present executive secretary of the Power Commission, Mr. Bonner. Mr. Charles A. Russell, the solicitor, testifying before the committee in regard to the activities of Mr. Bonner in behalf of the Power Commission, among other things said that Mr. Bonner, the executive secretary of the commission—

Told me that I was to talk with M. O. Leighton, who was the Washington lawyer engaged by the Electric Bond & Share Co., and when I saw Leighton he suggested that W. V. King, chief accountant of the commission, was worrying the power companies by requiring elaborate reports. It was his idea that I should tell King that he was not to fret about the details and that the reports of the companies were made to the commission under oath and should be accepted by the commission.

Later Bonner gave me to understand that a part of my job was to tell King to lay off the power companies. However, my investigation of the answers which the power companies have made to King's request for additional information seemed to show nothing more than long reports, carefully evading the questions he had asked.

There was printed in the New Republic of March 5, 1930, quite an elaborate article written by Mr. George Soule. I ask unanimous consent to print in the RECORD as a part of my remarks the entire article, with the exception of one paragraph which I have deleted, giving some information upon which

there may be some doubt, or, at least, I have not any information bearing out that point and, therefore, I have stricken it out.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WAR IN THE POWER COMMISSION—WHY THE POWER COMPANIES WANT MR. KING TO "LAY OFF"

When Solicitor Charles A. Russell, of the Federal Power Commission, was being examined by Senator COUZENS's committee he said that after he had been with the commission a short time Executive Secretary F. E. Bonner, of the commission (an appointee of the present administration), "told me that I was to talk with M. O. Leighton, who was a Washington lawyer engaged by the Electric Bond & Share Co., and when I saw Leighton he suggested that W. V. King, chief accountant of the commission, was worrying the power companies by requiring elaborate reports. It was his idea that I should tell King that he was not to fret about the details and that the reports of the companies were made to the commission under oath and should be accepted by the commission."

"Later Bonner gave me to understand that a part of my job was to tell King to lay off the power companies. However, my investigation of the answers which the power companies had made to King's request for additional information seemed to show nothing more than long reports, carefully evading the questions he had asked."

When Mr. Russell informed Mr. Bonner that Chief Accountant King was merely trying to execute the law, Mr. Bonner suggested that he, as solicitor, might find a way around the law. As an example of the need for careful checking of the companies' accounts, Mr. Bonner stated that more than \$30,000,000 of the valuation of \$70,000,000 of the Niagara Falls Power Co. covers water rights obtained by license from the Federal Government, although the Federal water power act forbids inclusion of such rights in valuations. He also cited other facts of similar import.

For years Congress failed to grant the Federal Power Commission adequate funds for its accounting and engineering duties. Last year the appropriation was somewhat increased. But both the power companies and Mr. Bonner have attempted to prevent the accounting staff of the commission from carrying on its work diligently. One phase of this attempt has been to distribute the accounting in the field to men outside the staff of the commission itself, men chiefly in the War Department, not under the jurisdiction of Mr. King and not expert in utility matters. Another phase has been to sit on Mr. King himself. There is in this situation the making of a first-class scandal. It also has an important bearing on pending legislation.

The Federal water power act, passed in 1920 after a long struggle, set up a commission to control the granting of licenses for the use of water power in navigable streams which is owned by the Federal Government. The commission consists of the Secretaries of the Interior, War, and Agriculture. Under them there is a permanent staff, headed by an executive secretary, and consisting of legal, engineering, and accounting forces. The act provides that licenses may be issued to applicants at the commission's discretion. The plants built by the applicants may be recaptured by the Government after 50 years. One of the main functions of the commission is to determine the value of these plants for recapture. The law sets forth in some detail how this is to be done. Nothing is to be allowed for water rights or other intangibles. The value is to rest on the actual cost of construction.

The power companies do not like these provisions of the law. They want, of course, to build up as large valuations as possible, in view of the possibility that the Government may decide to recapture their plants. But even more important to them is another consideration. It is their habit, in making valuations to be used as the basis of rates by State regulating commissions, to include such things as water rights, to apply what are ordinarily the higher costs of reproduction new, instead of the actual costs of construction, and to boost the valuation by other means. They have been relatively successful in obtaining the approval of State commissions for such valuations, and even more successful in persuading the courts to sustain them. But if the Federal Power Commission makes substantially lower valuations of some of the same properties the contrast might be duly noted and might lead to discussion.

There is still another reason why they do not want the power commission's accountants to delve into their books. Almost none of these companies keeps accurate cost figures of operation. What part of their costs arise from generation, what part from transmission, what part from distribution? What is the real difference in cost between distributing to large consumers of power and to small households? These things, they usually maintain, are impenetrable mysteries. Vague statements about such facts enable the companies to set up their rates about as they please. They do not want to be required to keep their books so as to show costs.

Their method of fighting the law has been to try to prevent it from becoming fully operative. The Secretaries who make up the commission itself are busy men who seldom meet to consider water-power affairs. If the permanent staff of the commission can be made innocuous by hiring away its more active members at high salaries, inducing

favorable appointments to it, and suppressing incorruptible and able public servants like Messrs. Russell and King, all may be well.

An illustration of what a man like Mr. King might do if he were given support, occurred recently in hearings about an application of a subsidiary of the Montana Power Co. for a license to a site in the Flathead Indian Reservation. This site is capable of developing a large amount of power; it is comparable to Muscle Shoals. The application of the Montana Power Co. (affiliated with the Electric Bond & Share Co.) has had the favor of Mr. Bonner and former officials of the commission. But another bidder appeared, a Minneapolis capitalist, who offered both to pay the Indians more for their rights in the site than was offered by the Montana Co. and to sell the current at lower rates. The persistence of this bidder forced the holding of a hearing. Mr. Scattergood called as a witness Mr. King, who brought out startling facts. It is remarkable that Mr. King, who is chief accountant of the commission, was not called in his official capacity by Mr. Bonner, executive secretary of the commission, but as a witness for another bureau.

Mr. King's testimony was based on the company's own reports, unchecked by any field investigation. He made the following analysis of the costs and profits of the Montana Power Co. in 1926 (interpreted in my own language):

It cost the company 1.184 mills to generate each kilowatt-hour of power sold.

It cost the company 0.427 mill to transmit each kilowatt-hour.

All other operating costs (including distribution) were 1.073 mills per kilowatt-hour.

That adds up to a total cost of 2.684 mills.

The company charged its customers 7.336 mills—about three-fourths of 1 cent—per kilowatt-hour.

That left a net return of 4.652 mills, or 63.4 per cent of its total revenue. In other words, over three-fifths of its charges were available for interest, dividends, and surplus.

The interest on the company's obligations came to 1.38 mills per kilowatt-hour.

That left 3.272 mills clear for profits, which were reckoned after the deduction of all taxes, including income taxes. Profits were over 44 per cent of its total revenue.

The value of the company's tangible property, reckoned by an engineer engaged by the company, was, in 1926, \$45,746,598.30. The total return on this investment was \$5,780,733, or 12.7 per cent.

The property was assessed for taxation purposes at about \$52,000,000. The return on the assessed value was 11.1 per cent.

The company, however, in its books added to its valuation an item for "water rights, contracts, franchises, etc.," amounting to \$51,491,269.56, or more than the entire cost of its plant. This, by increasing the total valuation to \$97,237,867.92, made the return appear reasonable by bringing it to the neighborhood of 6 per cent. Why the company chose this particular value for its rights was not explained. Apparently it was merely a capitalization of earning power. If the Federal Power Commission had been valuing the plant for recapture under the law it would have crossed out the greater part, if not all, of this item. If anyone wants to verify these figures, he can find them in Exhibit No. 3, sheets 5 and 7, of the hearings.

Could anything indicate more clearly than this testimony why the power companies do not want Mr. King messing about in their books? The State commission of Montana has never made any valuation of the company's property for rate-making purposes. General knowledge of these facts might force it to do so.

A few comments must be made by the way. An average charge to the consumers of considerably less than 1 cent per kilowatt-hour seems extremely low. It is so in comparison with the charges of most other companies in this country. But the costs of the Montana Power Co. are extraordinarily low. It is favorably situated for cheap generation. It delivers a large part of its power to large consumers—mining companies and railroads—and hence has somewhat lower average costs for distribution than companies which sell more to small consumers.

There is much more to be said about the problem of Federal regulation of power. But in the meantime it is well for us to pay attention to what the electric utilities have done and may do to the effectiveness of public servants like Mr. Russell and Mr. King. It is well for us to make sure that the Federal Power Commission is not corrupted or suppressed.

GEORGE SOULE.

NINE-FOOT CHANNEL IN MISSISSIPPI RIVER

Mr. GLENN. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the St. Louis Post-Dispatch entitled "Chicago's Generous Attitude."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

The Post-Dispatch published last week the hearty commendation given by the Chicago Tribune to a proposal that all surveys on the Mississippi River above St. Louis should have as their objective a 9-foot channel to the head of navigation.

Great strength for the 9-foot channel has recently come from an unexpected quarter. Hitherto the Army engineers have opposed it, but

Maj. Gen. Lytle Brown, their chief, has reversed the traditional attitude upon this powerful front. General Brown thinks that since the lower Mississippi and the Ohio are to have 9-foot channels, the upper Mississippi, as an integral part of the inland-waterways system, should also have a 9-foot channel. He considers it essential to the whole project.

As may be guessed from the Tribune's approval of this view, the attitude of Chicago is as generous as it is wise. Indeed, the success of the whole inland-waterways movement is due to a realization of interdependence upon the part of the whole valley. Illinois is spending more money upon inland waterways than any other valley State. Chicago is looking down the Illinois River to the sea. Only a very rich State, backed up by a prodigious city, could contemplate such a project as that which proposes to make the Illinois River a highway for the bulk freights. And only a deep channel from the mouth of the Illinois to New Orleans can make such a highway mean anything. The Tribune, therefore, says the upper Mississippi should have a 9-foot channel, though the relation of that project to Chicago's own enterprise on the Illinois is only that relation which every part of the inland-waterways development bears to the whole.

POLITICAL AFFAIRS IN ALABAMA

Mr. HEFLIN. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution and my statement concerning it relative to political affairs in Alabama.

There being no objection, the resolution and statement were ordered to be printed in the RECORD, as follows:

A resolution requesting State Democratic executive committee to meet and rescind its action disfranchising more than 100,000 lifelong Democrats

Whereas the action of the 27 members of the State Democratic executive committee on December 16, 1929, was of a punitive nature and not conducive to party harmony; and

Whereas said action discriminates against and seeks to penalize and punish more than a hundred thousand lifelong Democrats who failed to support Smith for President in 1928; and

Whereas said action has already resulted in resentment and confusion among all Democrats who desired conciliatory methods and party harmony in Alabama; and

Whereas in the interest of that fair play and justice that Jefferson, the father of the Democratic Party, stood for when he announced the doctrine of "equal rights to all and special privileges to none"; and

Whereas we are so anxious to promote party peace and harmony in Alabama for the good of the party and the good of the State: Therefore be it

Resolved, That we, the Democrats of Calhoun County and vicinity here assembled, do most earnestly request that Chairman Pettus, of the Democratic State executive committee, reconvene said committee at an early date and give Democrats from various counties in the State who desire to be heard an opportunity to present their views in favor of changing the primary plan laid down by the committee at Montgomery, December 16, 1929.

Mr. HEFLIN. Mr. President, in an audience of 2,500 Democrats at Anniston, Ala., practically the entire audience voted for this resolution and only 1 person voted against it.

A similar resolution was adopted at Montgomery, Ala., where, in an audience of 5,000 Democrats, only 5 persons voted against it. At Hartselle, Ala., 1,600 Democrats passed the same resolution and only 3 persons voted against it. At Tuscaloosa an audience of 1,500 passed the same resolution and only 5 persons voted against it. At Bessemer an audience of 1,250 passed this resolution and only 4 voted against it. At Birmingham in an audience of 8,000 Democrats a resolution condemning the action of the State committee and calling on it to rescind its action was passed, and only 1 person voted against it. But Chairman Pettus has not only ignored but treated with contempt the petition of 24,000 lifelong Democrats who were seeking to do that which was right and just and best for the Democratic Party.

REVISION OF THE TARIFF

The Senate resumed the consideration of the bill (H. R. 2667) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes.

Mr. COPELAND. Mr. President, I assume that under the parliamentary situation we are permitted to vote only on the items relating to specific duties which have been stricken out of the bill. Is that correct?

The PRESIDING OFFICER (Mr. Fess in the chair). That is correct.

Mr. KEAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KEAN. What is the question before the Senate?

The PRESIDING OFFICER. The committee amendment made as in Committee of the Whole on pottery. The Senator from New York has the floor.

Mr. KEAN. May we have the amendment read?

The PRESIDING OFFICER. The clerk will read as requested.

The CHIEF CLERK. On page 40, line 15, in Committee of the Whole, the following was stricken out: "10 cents per dozen pieces and."

The PRESIDING OFFICER. The question is on concurring in the amendment made as in Committee of the Whole.

Mr. JOHNSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON. Has not exactly that amendment been concurred in, and when the bill came into the Senate were not all of the amendments to which there were no reservations concurred in by the Senate?

The PRESIDING OFFICER. All of the amendments that were made as in Committee of the Whole as to which there was no request for a separate vote were concurred in in the Senate.

Mr. JOHNSON. Then how is it possible for us to have the question before us as to a particular and specific amendment again?

The PRESIDING OFFICER. Is it not on the reserved list?

Mr. JOHNSON. I have heard no one ask for a specific vote upon the matter.

The PRESIDING OFFICER. It is on the list of reserved amendments, the Chair will state.

Mr. JOHNSON. Very well. Has a vote upon it been asked?

Mr. SMOOT. We have not yet reached the point of voting.

Mr. BARKLEY. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator from Kentucky will state it.

Mr. BARKLEY. This memorandum of reservations merely says "pottery." There are two or three sections of this bill which refer to pottery, and no specific amendment appears to have been reserved. I do not quite understand how we can point out any one particular amendment and say that it is the amendment intended to be reserved in the pottery schedule, unless some Senator has specified a definite amendment which he desired reserved.

The PRESIDING OFFICER. The Chair hopes that the Senator will not make that point, because we would then have to have a separate vote on every amendment in this schedule.

Mr. BARKLEY. Of course, if such a reservation applies to one amendment, it applies to all of them alike.

Mr. BORAH. Mr. President, may I ask a question?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Idaho?

Mr. COPELAND. I yield.

Mr. BORAH. Do I understand that the pottery item is now under consideration, and that it is in such form, having been reserved, that we may vote on it?

The PRESIDING OFFICER. As soon as the Senator from New York shall have yielded the floor, if some other Senator does not desire to speak, a vote on the amendment will be in order.

Mr. BORAH. I did not desire to take the Senator from New York off the floor. I was merely trying to ascertain the parliamentary situation. I understand that the amendment has been specifically reserved.

The PRESIDING OFFICER. It has been.

Mr. BORAH. Then, I should like at this time to ask to have a yea-and-nay vote on the amendment.

The PRESIDING OFFICER. The Senator from New York has the floor, the Chair must remind the Senator from Idaho.

Mr. BORAH. I merely desire that a yea-and-nay vote shall be taken on the amendment at the proper time, of course.

Mr. BARKLEY. We shall undoubtedly get a yea-and-nay vote on the amendment.

Mr. BORAH. Very well.

Mr. COPELAND. Mr. President, last year I had occasion to visit one of the pottery towns in Ohio. I was very much impressed by the distress in that community, and for once, I may say, I think that it was my feeling regarding the employment of labor in some other State than my own which first induced me to take an interest at all in the question at issue here to-day. We, however, have potteries in New York, at Syracuse and elsewhere.

There can be no doubt that since the World War, in their efforts to replenish their treasuries and to reestablish better economic conditions, the countries of Europe have striven to produce articles which could be sold in the most desirable market.

Mr. President, the Summary of Tariff Information shows that the annual production of pottery has declined in value since the peak year 1923. Like many other things the war and the economic paralysis of Europe gave activity to American industries, and among such, of course, the potteries prospered;

but, with the restoration of manufacturing enterprises in Europe, there was immediately very serious competition from Germany, France, and particularly Czechoslovakia, as well as competition coming from the Orient. I find that to a lesser degree, but to a considerable extent, in my State there has been depression in the pottery industry. As I have said, however, it was the distress which I observed along the Ohio River in the State of Ohio that gave me my first desire to do what I could to help the pottery industry.

ADJUSTED COMPENSATION CERTIFICATES

On this question, as on many others which we discuss here, we have differences of opinion—sometimes rather bitter differences—as to what should be the attitude of this or that man or the attitude of this or that party or faction of a party. I have tried consistently in season and out of season to keep in mind two things: First, so far as possible to keep down the cost of the actual necessities of life, those things which the people eat and must wear and use every day. It might be said, of course, that pottery is one of the things in common use, and that is true; but after all it is not a necessity in the same sense that the food which is served upon the plates may be regarded as a necessity. Any economic situation, however, that means unemployment is a matter of great concern to us.

I was much touched this morning by a letter which was inserted in the RECORD by the Senator from Michigan [Mr. COUZENS] voicing the appeal of a veteran of the late war that a cash bonus may be provided. I well recall how the Senator from Massachusetts [Mr. WALSH] and I fought, bled, and died on the floor of the Senate in an attempt to get a cash bonus for the soldiers.

Mr. BARKLEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Kentucky?

Mr. COPELAND. I yield.

Mr. BARKLEY. I presume the Senator will cooperate with me in securing the passage of the bill which I introduced two or three months ago, providing for the payment of the face value of the bonus certificates issued to the American soldiers, as soon as an opportunity presents itself to bring that measure up?

Mr. COPELAND. Not only will I join with the Senator from Kentucky, but I will pray for him and do everything in the world that I can do to help that cause. It is outrageous that we have treated the soldiers as we have. Every Senator knows that when the war was on and these boys were needed we promised them the Woolworth Building, 160 acres of land, gold medals, and a pension for life; but when we got through with it we gave them a gold brick. We gave them insurance so that their heirs may buy tombstones for them. We did nothing for the men themselves.

Mr. BRATTON. Mr. President, will the Senator from New York yield?

Mr. COPELAND. I yield.

Mr. BRATTON. Since the Senator from Kentucky has made reference to his bill to pay the soldiers of the World War cash in lieu of their adjusted-compensation certificates if they desire it, I take this occasion to ask him if it is his purpose to press that bill immediately after the completion of the tariff bill?

Mr. BARKLEY. I will say to the Senator from New Mexico, if the Senator from New York will yield, that as soon as the tariff bill shall be disposed of, I hope to be able to secure consideration of that measure by the Finance Committee, to which it was referred; and, if we can get a report from the committee to the Senate and get it to a vote, I have not any doubt that the Senate will enact it into law.

Mr. SMOOT. Does the Senator refer to the \$3,000,000,000 bill which he introduced?

Mr. BARKLEY. I refer to the bill which I have introduced providing for the payment of the face value of the bonus certificates.

Mr. SMOOT. That will take between three and four billion dollars.

Mr. BARKLEY. That is what the Senator said about a similar measure which was passed some years ago, that it would take that much cash out of the Treasury and we would have a deficit. When the bonus bill was passed before it was predicted by the Secretary of the Treasury and by the Senator from Utah that there would be a deficit; but, instead of that, we have had a surplus every year, and we had to reduce the taxes to get rid of it.

Mr. SMOOT. The Senator is dreaming, I am quite sure, or he would never make such a statement.

Mr. BRATTON. Mr. President, I want to say to the Senator from Kentucky that I hope he will press that bill. It has been decided that the Government owes the obligation. That has been decided. I think each soldier should determine for himself

whether he wants to retain his compensation certificate or take the cash in lieu of it. I have no sympathy with the argument that the Government of the United States must not pay that obligation, an obviously just and meritorious one, because it will cause an undue strain on the Treasury. It is unworthy of Congress to take such an attitude.

Mr. BARKLEY. I am sure the Senator agrees with me in the statement—

Mr. BRATTON. I shall cooperate with the Senator in every way.

Mr. BARKLEY. And in the feeling that it is nothing less than humiliating to realize that these soldiers, who went out and served their country and who are carrying these certificates around with them, have in many cases been compelled to take them to banks and borrow even the second loan on them—the loan value, of course, increasing in proportion to the age of the certificate—that they have to hawk these Government obligations around from bank to bank in order to borrow a little money which the Government of the United States has already acknowledged it owed to them because of their service.

Mr. BRATTON. It is a dishonor that we should not continue.

Mr. BARKLEY. I agree with the Senator.

Mr. BRATTON. I shall cooperate with the Senator in his efforts to secure the passage of that bill at the earliest possible moment.

Mr. KEAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from New Jersey?

Mr. COPELAND. I do.

Mr. KEAN. I should like to say that, as far as I am concerned, every influence that I have been able to bring to bear has been brought to bear in regard to these certificates; and I have advanced money on the certificates for any ex-soldier who came and asked me for it.

Mr. COPELAND. Mr. President, it ought not to be necessary for any private institution to cash these certificates or to lend money upon them. It is the obligation of the United States Government.

I presented, in the Sixty-eighth Congress, a bill providing for a cash bonus. It took the regular form, was referred to the Secretary of the Treasury, and in due time the Assistant Secretary, Mr. Winston, informed me that he was ready to talk about the bill. I went to see him, and he said I would have to see the Secretary; so I went in to see the Secretary.

Mr. Mellon told me that, if we were to pay a cash bonus, that was a good bill; and I felt all swollen up. I thought I had become a financier. "But," he said, "why should we pay a cash bonus? The soldiers do not want it."

I remember that on that day I was so husky that I could hardly speak. I said, "Mr. Secretary, do you notice my voice?" He said, "Yes." I said, "I got this on Saturday, speaking in the public square in Brooklyn to 25,000 soldiers, all yelling their heads off for a bonus. Of course, they want a bonus."

Then, on the floor, a Senator said, "Oh, they would not apply." How many applied? Millions; millions; and not a day passes but in my office I have letters from soldiers asking that some legislative action be taken so that they can have relief.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

Mr. COPELAND. I yield.

Mr. WALSH of Massachusetts. Is the Senator aware of the fact that a bill has been introduced in the House providing for the payment forthwith of one-fourth of the amount due on the adjusted certificates?

Mr. COPELAND. Is not that the same bill that has been introduced by the Senator from Kentucky?

Mr. WALSH of Massachusetts. No; I understand that the bill of the Senator from Kentucky provides for paying the entire sum due upon an adjusted certificate.

Mr. BARKLEY. The face value; yes.

Mr. WALSH of Massachusetts. The face value. I was calling the attention of the Senator from New York to the fact that within a day or two a bill has been introduced in the House providing for the payment of one-fourth of the face value of the certificate. I should like to have the Senator from New York know the views of the Senator from Kentucky upon that.

Mr. BARKLEY. Mr. President, personally I can not reconcile my views of a complete fulfillment of the obligation of the United States toward her soldiers—an obligation recognized by Congress—with the passage of a law merely paying one-fourth of that obligation and postponing the other three-fourths to an indefinite day in the future.

Mr. WALSH of Massachusetts. I suppose the theory upon which request was made for the payment of one-fourth now is

that more than 5 years, one-fourth of the period of 20 years, has elapsed.

Mr. BARKLEY. I do not know what the theory is. It may be that that is the theory; but, of course, I presume that the majority of these ex-service men have already borrowed on the certificates, if they have been able to borrow at all, as much as the accumulated loan value of the certificate may represent. I do not think it has been very easy for them to borrow money at the banks on these certificates. Those who have been able to negotiate loans have done so largely from private sources.

Mr. WALSH of Massachusetts. The Senator perhaps has had his attention called to some figures that I introduced in the RECORD recently showing the exceedingly large increase in the number of applications filed with the Veterans' Bureau for loans upon these certificates. Has the Senator had his attention called to them?

Mr. BARKLEY. Yes; I recall that the Senator did put in those figures.

Mr. WALSH of Massachusetts. The number has increased very rapidly and very greatly during the past few weeks.

Mr. BARKLEY. There is no question about that; and it seems to me to be a matter for humiliating consideration, if we owe these boys this obligation, that we put them off with a mere certificate which they must hawk around over the country in order to realize some benefit by reason of it. That is a situation that, in my judgment, does not comport with the dignity and the honor and the obligation of the United States.

Mr. WALSH of Massachusetts. The Senator's views and mine are in accord on that subject.

Mr. COPELAND. Mr. President, I introduced this amendment in April, 1924, and on the 24th of April we took the vote. My amendment to the bonus bill was up, providing a cash payment to the soldiers. It was defeated by a vote of 48 to 37. Of the 37, 31 were Democrats and 6 were Republicans. Of the 48, 37 were Republicans and 11 were Democrats. So the Republicans defeated this measure to give a cash bonus to the soldiers.

When the matter was up, the Secretary of the Treasury and the chairman of the Finance Committee, the Senator from Utah [Mr. Smoot] said, "We can not give the tax reduction which is pending and give the bonus, too." I always believed, and I believe now, that the reduction of the taxes of the rich was played against the rights of the soldiers.

I am just as confident of that as I am of anything in the world; and these veterans who to-day are going about distressed are suffering because the Republican Party would not vote the cash bonus.

Mr. President, it was said that we could not reduce the taxes—and the country was yelling for a reduction of taxes—that we could not do that and pay a bonus to the soldiers. I spoke at the meeting of an association in New York one Saturday night. It was the annual convention of the silk men. It was being broadcast, and thousands of veterans throughout the country were listening in that night to me. I know that because of the letters I got afterwards. I had been invited to address this convention in the great ballroom of the Hotel Astor. So I started off, as I thought, pleasantly, and said, "Now, you all want your income taxes reduced, do you not?" They yelled, "Oh, yes!" I said, "Well, we can do that and give the soldiers a cash bonus, too," and I never saw a riot, outside of what I saw in the pictures yesterday, equal to what happened in that convention. If I had not been of the size that I am physically, they would have torn me limb from limb. I never was so outrageously treated anywhere in the world as I was that night because I ventured to propose to a lot of rich textile men that we should give a cash bonus to the soldiers. These boys wrote to me to express their regret that they were not within reach to give me a bodyguard that night; but I did finish my speech. You know, I sometimes have used the same methods here to complete a speech; but after you have had a little training in speaking in Cooper Union before the silk-textile people and others the modest riots of the Senate seem as nothing.

Why should we not pay these soldiers? We owe them this money. When I owe a man money, I have to pay him in cash. I can not say, "I will give you a note due on my death," or "I will pay you in 20 years." I have to pay him the money. We owe these soldiers this money, and we ought to pay it.

Mr. President, let us not be misled about the sentiment that is going around the country. In such rioting as we had yesterday in the cities of America, while the leadership may have been unworthy leadership—it may have been the "reds"; it may have been a group of persons in whom we have no confidence—yet the persons who follow are the unemployed of America. Let a man be hungry, let a man have a wife and five or six children and rent unpaid and credit gone at the grocery store, and he

becomes a desperate character; and any one of us under similar circumstances would act in the same way.

Mr. President, one of the reasons why we have unrest in the country is because tens of thousands, hundreds of thousands of these war veterans are discontented with the treatment they have had from the United States Government. It is time we paid the bill; and the richest country in the world can afford to pay its debts when those debts are owing to the young men who saved the world.

REVISION OF THE TARIFF

But I came here, Mr. President, to say something about the pottery business, and to express the hope that the Senate, in its wisdom, will see that sufficient protection is given so that the potteries of Ohio and West Virginia and New York and Pennsylvania may be given some degree of prosperity.

I want to see every factory in the United States in operation. I want the smoke to rise from every chimney. I want the hum of the machinery. I want to have the men and women who work given employment at decent wages, and in order to make that possible, as I see it, we must provide the protection essential to that end.

No matter what may have been a political philosophy which inspired us in times past, no matter how we may differ to-day regarding our fundamental views of the tariff system, the fact remains that there can be no prosperity in this country unless all industries are at work.

The farm must be given encouragement, the potteries must be put to work, the paper mills of Michigan must be kept in full operation, there must be activity everywhere, if we are to have a contented people.

Mr. President, as far as I am concerned, I feel like urging the Senate to amend the schedules relating to earthenware so that there may be activity in every mill town in the United States.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

Mr. COPELAND. I yield.

Mr. WALSH of Massachusetts. When was this subject matter before the Senate for consideration? Does the Senator know the date?

Mr. COPELAND. No; I do not know the date.

Mr. WALSH of Massachusetts. What action was taken?

Mr. COPELAND. The Senate committee struck out of the bill certain specific rates. I am informed that November 11 was the date when we voted.

Mr. WALSH of Massachusetts. One of the experts informs me that it was November 5. The committee amendment was rejected. It is found on page 40. The first amendment was adopted, taking off the specific duty imposed in the House bill of 10 cents per dozen pieces.

Mr. COPELAND. That was stricken out by the Finance Committee, and that was agreed to by the Senate.

Mr. WALSH of Massachusetts. That is correct.

Mr. COPELAND. First I would have restored the specific duty in line 15, on page 40, and also in lines 18 and 19 on page 40.

Mr. WALSH of Massachusetts. The recommendation of the Finance Committee was to make the ad valorem duty 55 per cent.

The amendment of the Finance Committee providing for an additional duty on cups, saucers, and plates valued at not more than 50 cents a dozen was rejected.

Mr. COPELAND. Yes.

Mr. WALSH of Massachusetts. The pending amendment is to restore the two specific duties which were rejected. First of all, it is to restore the specific duty that was rejected in line 15, page 40.

Mr. COPELAND. That is correct.

Mr. WALSH of Massachusetts. Then I suppose the Senator, if he fails in his efforts to have that specific duty levied, will follow up his pending amendment by amendments to restore the recommendations of the Finance Committee in other paragraphs.

Mr. COPELAND. That is right.

Mr. President, could all these amendments be linked together in one vote?

The PRESIDING OFFICER. By unanimous consent.

Mr. COPELAND. It would seem to me that that would be the wise thing. Either we are for the further protection of the pottery industry, or we are not. Any vote that would be taken on a single one of these amendments would be likely to be the vote taken by the Senate on all of them. Would it be proper for me to ask unanimous consent to take them together?

Mr. WALSH of Massachusetts. I informed some Senators who have absented themselves that before any action should be taken I would call for a quorum, and that was one of the things

they called my attention to specially. They claimed that some of these amendments are not as harmful as other amendments.

Mr. COPELAND. Suppose before we call the quorum the Chair ascertain whether anybody else cares to speak. I have said all I care to say in the matter.

Mr. WALSH of Massachusetts. I have no desire to interfere with the debate on the subject.

Mr. KEAN. New Jersey is one of the large pottery producers of the United States. There have been potteries in Trenton for a great number of years. In fact, the Lenox china, which is used in the White House here, and is used in some of our finest homes, is probably the finest china made in the world.

Mr. WALSH of Massachusetts. I did not want the Senator to think I expressed any opinion by my questions to the Senator from New York.

Mr. KEAN. This industry is in dire straits. People are out of work, they are suffering from the cheap china brought over from abroad, particularly from Japan.

I have before me a letter from the National Brotherhood of Operative Potters, Union No. 4, which I would like to have inserted in the RECORD, and have read to the Senate. I think with that I will conclude, as the subject has been fully covered.

The PRESIDING OFFICER. The clerk will read.

The legislative clerk read as follows:

TRENTON, N. J., September 16, 1929.

HON. HAMILTON F. KEAN,

Senate Office Building, Washington, D. C.

DEAR SIR: We, the members of Local Union No. 40, National Brotherhood of Operative Potters, wish to express our sincere appreciation for your intelligent and energetic advocacy of a more adequate tariff for the protection of the American tableware pottery industry, and, believing that you will continue to put forth every possible effort in the coming joint session, we would like to give a statement of what we consider are some of the pertinent facts concerning foreign competition and its effect on the pottery industry in America.

There is a wide difference in wages paid foreign potters as compared to American potters. Statistics from the United States Department of Labor show the rate of pay for skilled pottery workers in the principal competing countries, as follows:

	Cents per hour
Japan	\$0.08
Germany	.28
England	.34
America	.86

The above rates show America's rate of pay for skilled pottery workers to be 152 per cent greater than England, 207 per cent greater than Germany, while Japan shows the startling and almost unbelievable difference of 975 per cent.

When you consider the American potter is a piece worker, and the hardest and fastest among the pottery workers of the world, and produces more dozens of ware per hour and per day, surely 86 cents per hour is not too much pay for a skilled worker who is trying to maintain an American standard of living.

A number of American potteries have been compelled to discontinue operation due to their inability to meet foreign competition, and because they refuse to try to force a foreign standard of living on skilled American workers.

About a dozen firms who have been successful manufacturing potters for from 30 to 40 years have recently consolidated in a desperate effort to save themselves from bankruptcy, other firms are waiting on the results of the tariff revision in the hope that it will save them from bankruptcy.

In the bill adopted by the House we were favored with a specific duty of 10 cents per dozen pieces on all items, whether in sets or separate pieces of ware, imported under paragraph 211, known as earthenware schedule, which also includes tableware. The 10 cents specific duty also applies to 212, which includes all china dishes.

We believe anything less than 10 cents a dozen specific, as provided in the House bill, will be inadequate.

LOCAL UNION NO. 40, N. B. O. P.
M. J. CAROLAN, President.
W. E. YOUNG, Secretary.

Mr. ODDIE. Mr. President, I send to the desk a telegram from James M. Duffy, president of the National Brotherhood of Operative Potters, and ask that it be read.

Mr. WALSH of Massachusetts. Mr. President, is this telegram similar to the message received by all other Senators to-day?

Mr. ODDIE. I do not know.

Mr. GOFF. Mr. President, I will answer the Senator from Massachusetts. I understand that is correct. It is similar to the telegram received by all of us.

The PRESIDING OFFICER. Without objection, the clerk will read, as requested.

The legislative clerk read as follows:

WASHINGTON, D. C., March 7, 1930.

TASKER L. ODDIE,

United States Senate, Washington, D. C.

We are appealing to you and every other Member of the Senate to support the amendment calling for an additional duty of 10 cents per dozen pieces on earthenware and china. This additional duty will give employment to thousands of unemployed American pottery workers. Positive assurances have been given by the American manufacturers that they will not raise their selling prices, thus warranting no increased cost to consumers. The products of foreign workers, largely Japanese, control more than 50 per cent of the American market. We appeal to you for justice and fair play.

JAMES M. DUFFY,

President National Brotherhood Operative Potters.

Mr. BLEASE. Mr. President, it is 7 o'clock and there are only 12 Senators in the Chamber. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Fletcher	Jones	Robson, Ky.
Baird	Frazier	Kean	Schall
Barkley	George	Keyes	Sheppard
Black	Glass	La Follette	Shortridge
Bleas	Glenn	McCulloch	Smith
Borah	Goff	McKellar	Smoot
Bratton	Goldsborough	McMaster	Steak
Brock	Grundy	McNary	Steiner
Broussard	Hale	Metcalf	Stephens
Capper	Harris	Norbeck	Swanson
Connally	Harrison	Norris	Trammell
Copeland	Hastings	Nye	Tydings
Cutting	Hatfield	Oddie	Vandenberg
Dale	Hawes	Patterson	Walsh, Mass.
Dill	Hebert	Phipps	Walsh, Mont.
Fess	Heflin	Pine	Waterman

The PRESIDING OFFICER (Mr. JONES in the chair). Sixty-four Senators having answered to their names, a quorum is present.

The question is on concurring in the amendment made as in Committee of the Whole, which will be stated.

The LEGISLATIVE CLERK. On page 40, line 15, the Senate, as in Committee of the Whole, struck out "10 cents per dozen pieces and." The question is on concurring in the amendment made as in Committee of the Whole.

Mr. BORAH. Mr. President, is this a vote on whether we shall sustain the action of the committee?

The PRESIDING OFFICER. Yes; the action of the Committee of the Whole.

Mr. HARRISON. Mr. President, may not the amendment be divided?

Mr. KEAN. Mr. President, why can we not vote on it all at once, because if we are to have a duty on china we are for it all, and if we are against a duty on china we are against it all. I ask unanimous consent that we include the whole paragraph in the one vote.

Mr. BORAH. Was it covered by a reservation?

Mr. KEAN. No; none of it is covered by a reservation.

Mr. HARRISON. As I understand the first amendment, it is to strike out what the House did.

Mr. SMOOT. The first amendment on this point is where the committee struck out "10 cents per dozen pieces." That was agreed to by the Senate as in Committee of the Whole.

Mr. HARRISON. Why not concur in that amendment and let us get it out of the way?

Mr. SMOOT. That is the very question now.

Mr. NORRIS. The question now is whether we will concur in that amendment.

The PRESIDING OFFICER. The question is on concurring in the amendment in line 15, page 40, made as in Committee of the Whole.

Mr. HATFIELD. Mr. President, I should like to have the yeas and nays on that amendment.

The PRESIDING OFFICER. The Senator from West Virginia asks for the yeas and nays. Is the demand seconded?

The yeas and nays were ordered.

Mr. HARRISON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Mississippi will state his parliamentary inquiry.

Mr. HARRISON. The question is whether the Senate shall concur in the action taken as in Committee of the Whole, and those in favor of reducing the rate from that which the House provided will vote "yea" and those opposing it will vote "nay"?

The PRESIDING OFFICER. That is correct. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FRAZIER (when Mr. BROOKHART's name was called). The Senator from Iowa [Mr. BROOKHART] is unavoidably absent.

He is paired with the junior Senator from Idaho [Mr. THOMAS]. If the Senator from Iowa were present, I understand he would vote "yea" on this question, and the Senator from Idaho, if present, would vote "nay."

Mr. McKELLAR (when his name was called). On this question I have a pair with the junior Senator from Delaware [Mr. TOWNSEND] and therefore withhold my vote.

Mr. SMITH (when his name was called). I have a general pair with the Senator from Indiana [Mr. WATSON]. In his absence I withhold my vote.

Mr. STEPHENS (when his name was called). I have a pair with the junior Senator from Indiana [Mr. ROBINSON]. I transfer that pair to the Senator from Massachusetts [Mr. WALSH] and vote "yea."

The roll call was concluded.

Mr. FESS. I desire to announce the following general pairs: The Senator from Illinois [Mr. DENEEN] with the Senator from North Carolina [Mr. OVERMAN];

The Senator from Massachusetts [Mr. GILLET] with the Senator from North Carolina [Mr. SIMMONS];

The Senator from Minnesota [Mr. SHIPSTEAD] with the Senator from Wyoming [Mr. KENDRICK];

The Senator from Pennsylvania [Mr. REED] with the Senator from Arkansas [Mr. ROBINSON];

The Senator from Maine [Mr. GOULD] with the Senator from Utah [Mr. KING];

The Senator from Wyoming [Mr. SULLIVAN] with the Senator from Tennessee [Mr. BROCK];

The Senator from Connecticut [Mr. BINGHAM] with the Senator from Virginia [Mr. GLASS];

The Senator from Oregon [Mr. STEIWER] with the Senator from Arizona [Mr. HAYDEN];

The Senator from Vermont [Mr. GREENE] with the Senator from Arkansas [Mr. CARAWAY];

The Senator from Nebraska [Mr. HOWELL] with the Senator from Louisiana [Mr. RANDELL];

The Senator from Connecticut [Mr. WALCOTT] with the Senator from Montana [Mr. WHEELER];

The Senator from Kansas [Mr. ALLEN] with the Senator from Missouri [Mr. HAWES]; and

The Senator from California [Mr. JOHNSON] with the Senator from New York [Mr. WAGNER].

Mr. STECK. I transfer my pair with the Senator from New Hampshire [Mr. MOSES] to the Senator from Arizona [Mr. ASHURST] and vote "yea."

The result was announced—yeas 27, nays 30, as follows:

YEAS—27

Barkley	Connally	La Follette	Smoot
Black	Cutting	McMaster	Steck
Blaine	Dill	Norbeck	Stephens
Blease	Frazier	Norris	Swanson
Borah	Harris	Nye	Tydings
Bratton	Harrison	Schall	Walsh, Mont.
Capper	Heflin	Sheppard	

NAYS—30

Baird	Goff	Kean	Pine
Broussard	Goldsborough	Keyes	Robison, Ky.
Copeland	Grundey	McCulloch	Shortridge
Dale	Hale	McNary	Trammell
Fess	Hastings	Metcalf	Vandenberg
Fletcher	Hatfield	Oddie	Waterman
George	Hebert	Patterson	
Glenn	Jones	Phipps	

NOT VOTING—39

Allen	Gould	Overman	Sullivan
Ashurst	Greene	Pittman	Thomas, Idaho
Bingham	Hawes	Ransdell	Thomas, Okla.
Brock	Hayden	Reed	Townsend
Brookhart	Howell	Robinson, Ark.	Wagner
Caraway	Johnson	Robinson, Ind.	Walcott
Couzens	Kendrick	Shipstead	Walsh, Mass.
Deneen	King	Simmons	Watson
Gillett	McKellar	Smith	Wheeler
Glass	Moses	Steiwer	

So the amendment made as in Committee of the Whole was not concurred in.

Mr. LA FOLLETTE. Mr. President, I ask unanimous consent that there may be inserted in the RECORD at this point the roll-call vote taken on November 5, as in Committee of the Whole, upon this question, which appears on page 5194 of the CONGRESSIONAL RECORD.

The PRESIDING OFFICER. Is there objection?

There being no objection, the vote referred to was ordered to be printed in the RECORD, as follows:

The PRESIDING OFFICER. The clerk will again state the question.

The CHIEF CLERK. The committee amendment is, on page 40, paragraph 211, in line 15, to strike out the words "10 cents per dozen pieces, and."

The PRESIDING OFFICER. Those who favor striking out those words will vote "aye," and those who are opposed will vote "no." The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

The PRESIDING OFFICER (when the name of Mr. JONES was called). The present occupant of the chair transfers his pair for the day with the senior Senator from Virginia [Mr. SWANSON] to the Senator from Illinois [Mr. DENEEN] and votes "yea."

Mr. PHIPPS (when his name was called). On this question I have a pair with the Senator from Georgia [Mr. GEORGE], which I transfer to my colleague [Mr. WATERMAN], and will vote. I vote "nay."

Mr. SMITH (when his name was called). I have a pair with the Senator from New Jersey [Mr. EDGE] on this question. I transfer that pair to the Senator from Oklahoma [Mr. THOMAS] and will vote. I vote "yea."

Mr. STEPHENS (when his name was called). I have a pair with the Senator from Indiana [Mr. ROBINSON], and therefore withhold my vote. The roll call was concluded.

Mr. COPELAND. I wish to announce that my colleague [Mr. WAGNER] is necessarily detained from the Senate Chamber.

Mr. FESS. I wish to announce the following general pairs:

The Senator from Kentucky [Mr. SACKETT] with the Senator from Missouri [Mr. HAWES];

The Senator from Indiana [Mr. WATSON] with the Senator from Arkansas [Mr. ROBINSON];

The Senator from Connecticut [Mr. BINGHAM] with the Senator from Virginia [Mr. GLASS];

The Senator from Massachusetts [Mr. GILLET] with the Senator from Arkansas [Mr. CARAWAY];

The Senator from Indiana [Mr. ROBINSON] with the Senator from Mississippi [Mr. STEPHENS];

The Senator from New Jersey [Mr. KEAN] with the Senator from South Carolina [Mr. BLEASE];

The Senator from Wyoming [Mr. WARREN] with the Senator from North Carolina [Mr. OVERMAN];

The Senator from Missouri [Mr. PATTERSON] with the Senator from New York [Mr. WAGNER];

The Senator from Connecticut [Mr. WALCOTT] with the Senator from Iowa [Mr. STECK]; and

The Senator from Maryland [Mr. GOLDSBOROUGH] with the Senator from Nevada [Mr. PITTMAN].

Mr. SHEPPARD. I wish to announce that the Senator from Arizona [Mr. ASHURST] is paired with the Senator from Florida [Mr. FLETCHER]. On this question the Senator from Arizona [Mr. ASHURST], if present, would vote "yea" and the Senator from Florida [Mr. FLETCHER], if present, would vote "nay."

The result was announced—yeas 33, nays 21, as follows:

Yeas—33: Messrs. Allen, Barkley, Black, Blaine, Borah, Bratton, Brock, Brookhart, Capper, Connally, Dill, Frazier, Harris, Harrison, Hayden, Heflin, Howell, Jones, Kendrick, La Follette, McKellar, Moses, Norbeck, Norris, Nye, Pine, Schall, Sheppard, Simmons, Smith, Tydings, Walsh of Montana, Wheeler.

Nays—21: Copeland, Couzens, Fess, Goff, Greene, Hale, Hastings, Hatfield, Hebert, Keyes, McNary, Oddie, Phipps, Reed, Shortridge, Smoot, Steiwer, Thomas of Idaho, Townsend, Trammell, Vandenberg.

Not voting—40: Ashurst, Bingham, Blease, Broussard, Caraway, Cutting, Dale, Deneen, Edge, Fletcher, George, Gillett, Glass, Glenn, Goldsborough, Gould, Hawes, Johnson, Kean, King, McMaster, Metcalf, Overman, Patterson, Pittman, Ransdell, Robinson of Arkansas, Robinson of Indiana, Sackett, Shipstead, Steck, Stephens, Swanson, Thomas of Oklahoma, Wagner, Walcott, Walsh of Massachusetts, Warren, Waterman, Watson.

So the amendment of the committee was agreed to.

Mr. WALSH of Montana. Mr. President, I should like to add that at the time the vote was formally taken there were 33 yeas and only 21 nays on the adoption of the amendment to strike out the 10-cent specific duty.

The PRESIDING OFFICER. The clerk will state the next reserved amendment.

The LEGISLATIVE CLERK. On page 40, lines 18 and 19, the Senate, as in Committee of the Whole, strike out "10 cents per dozen pieces and 50" and in lieu thereof inserted "50," so that it would read:

Not specially provided for, 50 per cent ad valorem.

The PRESIDING OFFICER. The question is on concurring in the amendment made as in Committee of the Whole.

Mr. WALSH of Montana. I hope that some Senator will tell us what this is all about. As I understand, the duty on glassware—

The PRESIDING OFFICER. The amendment is in paragraph 211, and relates to earthenware and crockery. The words beginning in line 18, "10 cents per dozen pieces and 50" have been stricken out and "50" inserted.

Mr. WALSH of Montana. As in Committee of the Whole the Senate struck out the specific duty, as in the case of the amendment last voted on?

The PRESIDING OFFICER. That is correct.

Mr. WALSH of Montana. And now the question is, Will the action of the Committee of the Whole be concurred in?

The PRESIDING OFFICER. That is the question, on striking out the specific duty and inserting "50 per cent ad valorem," which is the ad valorem rate provided in the House bill. The question is on concurring in the amendment made as in Committee of the Whole.

Mr. COPELAND. Mr. President, the vote would be in the same form as the previous one, would it not?

The PRESIDING OFFICER. A vote "yea" would be to concur in the amendment and a vote "nay" would be to reject the amendment.

Mr. COPELAND. A vote "nay" would restore the House rate?

The PRESIDING OFFICER. It would restore the specific rate and the 50 per cent rate.

Mr. BARKLEY. Mr. President, the Senate has just rejected an amendment to this bill that was reported by the Finance Committee of the Senate. The tariff on earthenware and china-ware articles, depending on whether they are decorated or undecorated, ranges from 40 per cent to 70 per cent ad valorem. The House added to that tariff rate a provision that, in addition to those ad valorem rates, there should be levied a tariff of 10 cents per dozen pieces, which increased the tariff rate on many of the cheaper articles of tableware and other sorts of earthenware in some cases as high as 500 per cent.

That rate was so outrageous that the Senate Committee on Finance brought in an amendment striking out the 10 cents specific duty, and when we voted on it as in Committee of the Whole, by a vote of 33 to 21, the committee amendment was agreed to and the 10 cents specific duty was stricken out. Now, on a roll call, the Senate has reversed its action taken as in Committee of the Whole, reversed its own Committee on Finance, and added the 10 cents specific which is, in some cases, equal to 500 per cent ad valorem.

Now we are coming to the next amendment, under which, in addition to the 40 to 70 per cent ad valorem and in addition to the 10 cents specific duty which the Senate has just voted into this bill, against the amendment of its own Finance Committee, we are confronted with this provision in line 20:

In addition to the foregoing—

Mr. SMOOT. Mr. President, that is not up. The amendment in line 19 is the amendment now, which is exactly the same as the amendment we have just voted on.

Mr. BARKLEY. The amendment we voted on was in line 5.

Mr. SMOOT. Yes; but the next amendment is in line 19. Then what the Senator is talking about is line 20—"in addition," and so forth.

Mr. BARKLEY. Yes; the Senator is correct. It is in lines 18 and 19; but we substitute there "55 per cent ad valorem" for the 10 cents specific duty and the 50 per cent ad valorem. Then, in the next provision, in addition to all this we are to add another specific duty on cups, saucers, or plates valued at not more than 50 cents a dozen; and then on cups and saucers that come in matched up we are to add still another 10 cents.

I do not know what is to be gained by undertaking to appeal to the reason of Members of this body, because I think the basis of the appeal is absent. The rates provided in the House bill were so unjustifiable that even the Senate Committee on Finance would not stand for them; and by a vote of nearly two to one the Senate, as in Committee of the Whole, sustained the Committee on Finance.

Mr. FESS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Ohio?

Mr. BARKLEY. I yield.

Mr. FESS. If the Senator from Kentucky would take a trip through Ohio, and visit East Liverpool and three or four other cities, and see the distress of this industry, I am sure he would not take this position.

Mr. BARKLEY. I do not have to take a trip through East Liverpool. I understand that there is distress in the industry.

Mr. FESS. Very great distress.

Mr. BARKLEY. But it is not on account of importations, because the great bulk of importations into the United States of these cheap articles are not manufactured in the United States; and the distress in the industry is very largely due to the fact that modern methods of manufacturing dishes have been installed by the largest producer in the United States and one of the largest in the world, the Homer Laughlin Co., which has kilns out in West Virginia and in Ohio.

We went into this matter thoroughly when we had it before the Committee of the Whole; and I think it was demonstrated beyond a peradventure of a doubt that the levying of this specific duty in addition to the ad valorem duty, making a com-

bined duty in some instances as high as 550 per cent ad valorem, on the cheaper classes of dishes that the poor people of the United States have to buy and use, will result in either doubling the price of those articles to the people who have to use them or in their absolute elimination from the cheaper stores where they are able now to obtain them.

Mr. GOFF. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from West Virginia?

Mr. BARKLEY. I do.

Mr. GOFF. I do not believe the Senator was in the Chamber when this telegram from James M. Duffy, the president of the National Brotherhood of Operative Potters, was read into the Record.

Mr. BARKLEY. Yes; I was here and heard it read.

Mr. GOFF. Did the Senator hear it read?

Mr. BARKLEY. Yes.

Mr. GOFF. Does he believe the assurances Mr. Duffy makes in this telegram?

Mr. BARKLEY. I think Mr. Duffy is sincere in thinking he is making the assurances. I would not in any way reflect upon the good faith of Mr. Duffy; but how can any one man guarantee to the Congress of the United States that any single unit or a combination of units that are manufacturing this or any other product will not increase the price of their product if they are able to stop importations so as to have an embargo upon certain classes of dishes which we are required to use in the United States?

Mr. GOFF. In making that reply, does the Senator also take into consideration the fact that 53 per cent plus of the pottery consumed in this country is imported?

Mr. BARKLEY. I think something like 50 per cent of it is imported.

Mr. GOFF. More than 50 per cent.

Mr. BARKLEY. That is a much lower percentage—not in value but in quantity—than was imported in former days.

Mr. GOFF. My colleague [Mr. HATFIELD] tells me that it is \$36,000,000 worth; but this is what I want to say to the Senator from Kentucky:

If we are going to protect American industry and re-employ the unemployed, how can we do it if we allow 56 per cent, to be accurate, of the pottery used in this country to be imported and allow our labor to remain unemployed?

Mr. BARKLEY. A large portion of the importation of dishes into the United States is of a type not made in this country at all; and it comes down again to the banana-and-apple situation. Of course, we do not grow bananas in the United States, but we all like to eat bananas, because we like fruit; but if we can get a tariff on bananas that will keep bananas out of the country, then we shall have to eat some other kind of fruit. If you can get a tariff high enough to keep out these novelty dishes that come in and are bought by the women of the United States because of their design and their peculiar coloring, your proposal is to compel them to buy some other kind of dish whether they want that or not. That is the truth about the matter.

Mr. GOFF. Mr. President, I am informed that \$46,000,000 plus worth of pottery was imported into the United States in 1929; and that, of course, is having a very demoralizing effect upon the production of the pottery interests, in the employment of those engaged as well as their continued employment in the pottery industry. I will say to the Senator that I get these figures from the tariff experts.

Mr. BARKLEY. The figures given by the Senator are not correct. My information is that about \$17,000,000 worth of pottery comes from abroad.

Mr. GOFF. The Senator is speaking about foreign valuation. I am giving him the American valuation of that pottery as it is sold to the American consumer.

Mr. BARKLEY. Of course, if you are going to accept the sale price to the consumer as the basis, you will have to add a considerable percentage to the amount of domestic production. We produce in this country about \$31,000,000 worth of this pottery. We import about \$17,000,000 worth. You can add to both of those figures whatever you want to add for discounts and commissions and profits of retailers; but you can not add to the value of the imported article on this account and refuse to add to the value of the domestic article.

Mr. GOFF. Let me say this, then, to the Senator, please: Why is it that American labor now employed in this industry—and in this regard I speak of my own knowledge—is working only 60 per cent of its time, and is getting a weekly wage of only \$25? If that be true, how are we going to better the economic and employment situation by increasing the importations of foreign pottery into the United States?

I have been through these districts. I have talked to men employed in these pottery industries, not only, may I say to the

Senator, in the State of West Virginia, but in the State of Ohio, where I was yesterday, and saw a great many of the men so employed; and they say without the slightest hesitation that they will not only remain unemployed, but the unemployment situation will be increased, if we can not take some steps here in the Senate to reduce the volume of china imported into the United States.

Mr. BARKLEY. Of course, I presume that our good friends probably do not discriminate as to the causes of their unemployment. I have talked with them. They certainly can not lay it to an increase in importations. It is purely speculative to assume that an addition of this specific duty on top of the 40 and 50 per cent already borne by the decorated and undecorated earthenware, and the 60 and 70 per cent borne by the decorated and undecorated chinaware, is going to bring about such an increase in domestic production that the millennium is going to be realized in the pottery industry.

The Senator and I argued here all one day over this question three or four weeks ago.

Mr. GOFF. I know we did.

Mr. BARKLEY. And we talked about the modern methods of producing this earthenware and this chinaware; and I think it was pretty fairly demonstrated that one of the great troubles with the American pottery business, as with the American glassware business, has been their unwillingness to adopt modern methods, so that they might be on an economic parity with the concerns that had adopted modern methods.

There is no depression in the affairs of the Homer Laughlin Co. They are supplying almost the entire needs of the stores that handle this cheaper ware in the United States. If we increase the tariff on that particular type of tableware, we either compel the people to pay an additional price for it or we take it off the shelves of the stores that handle it; and in either case, in my judgment, the people of the United States suffer.

Mr. GOFF. Mr. President, has the Senator concluded?

Mr. BARKLEY. No; I have not concluded, but I desire to do so.

Mr. GOFF. Would the Senator prefer that I wait until he concludes, or ask him the questions now?

Mr. BARKLEY. Probably I shall save time by letting the Senator ask the questions now.

Mr. GOFF. I desire to bring to the Senator's attention the fact that the total importations of china and earthen ware in the year 1923 were \$13,160,000, European valuation.

In 1924 the European valuation of the importations was \$18,162,000, showing the increase.

In 1925 the importations decreased. They were \$16,490,000.

In 1926 the European value of the importations was \$18,513,000.

In 1927 the importations were \$18,248,000.

In 1928 the importations were \$17,947,000, showing an increase of 26.7 per cent over 1923.

In 1929 the importations were \$18,536,218.

My proposition in the questions I have been asking the Senator from Kentucky is this: If we have assurances that the price to the consumer will not be increased, but that the imposition of this tariff rate will limit and decrease the volume of importations from foreign countries, then, of course, it follows that there will be an increased demand for the domestic supply, and an increase in the domestic production will, of necessity, follow.

If we can bring about that situation, while I would not go so far as to call it the millennium, as the Senator has denominated it, I think it would be a situation which would tend to relieve this very tense condition now existing in this industry.

Mr. BARKLEY. Of course, the only possible way by which that could be accomplished would be to make it impossible for the American housewife to go into a chinaware store and buy some fancy article, like a cup and saucer from Japan, specially decorated. It may be that the Senator from West Virginia desires to prevent the importation of these specially decorated fancy articles of china and earthenware from Japan. If that is what he is undertaking to do, if what he wants to do is to make it impossible for an American housewife to go down to any store and buy some article in which she may be interested that is decorated to suit her taste, at a price that is reasonable, and compel her to buy an article she may not want, then the Senator is correct. But I do not assume that the Senate of the United States desires to raise such an embargo. I do not assume that it desires to offend the taste of American women to the extent of making it impossible for them to supply their tables with an article of the character, the type, the color, and design which they may desire.

Not only does this apply to tableware, but it applies to sanitary articles of all sorts. I want to give an example of what this tariff is going to do. It applies to white porcelain

soap cups and decorated porcelain hot and cold water buttons used in the bathroom, where one turns a little button to bring the hot or cold water. The tariff on those articles, under this amendment, will amount to over 300 per cent ad valorem.

It may be that the Senator from West Virginia desires to increase the cost of plumbing fixtures in the United States by levying a tariff of 300 per cent on them, thereby increasing the cost of construction still further, but I do not believe the American people approve any such rate as that on these articles of necessity.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. SMOOT. I think it is only fair for the Senator to say that when he is speaking of articles such as he has just mentioned he does not want to carry the idea that they are all of the same character. They would not constitute 0.001 of 1 per cent of the production under this provision in the tariff bill.

Mr. BARKLEY. It carries this 10 cents specific duty which we are talking about, and the present rate on it is 70 per cent ad valorem, and with this 10 cents specific duty, the rate will be 300 per cent.

Here is another article to which I wish to call attention. Practically the entire consumption in this country of the larger sized electrical porcelain units, such as high-tension insulators, is supplied by domestic manufacturers. The relatively small imports consist largely of articles small in size and comparatively inexpensive in price, such as parts of fuse plugs and spark plugs, and things of that kind, used in automobiles. Under this increase in rate the tariff on those articles is 598 per cent.

That may not be a matter of any importance to the Senator from West Virginia, though I can not believe that the Senator from Utah, who, as the chairman of the Committee on Finance, reported against this specific duty when the bill was reported from the Finance Committee to the Senate, can advocate or approve any such outrageous rate as that.

Mr. SMOOT. We could not separate these.

Mr. BARKLEY. But we have to swallow them in order to get the increased tariff on the larger consumption of dishes by the people of the United States.

Mr. GOFF. Mr. President, the Senator from Kentucky stated a moment ago that the Homer Laughlin Co. was one of the largest producers in the United States, and that it was supplying all of the chain stores.

Mr. BARKLEY. I did not say all of the chain stores; I did not even mention the chain stores. I said the Homer Laughlin Co. supplied a very large portion of the character of dishes bought by the women of the United States in the stores which handle the cheaper type of dishes.

Mr. GOFF. If I misinterpreted the Senator's remarks, I want to withdraw my statement.

Mr. BARKLEY. It may be true that the chain stores handle their stuff—I think they do—but they are not exclusive handlers of the Homer Laughlin chinaware or earthenware, whichever it is, probably some of both, but I think most of their ware is earthenware.

Mr. GOFF. I want to continue to state a fact. We have now assurances of labor employed in the industry that the American manufacturers will not raise the selling price to the American consumer. I have here a statement from the Homer Laughlin Co. in which this fact appears:

American manufacturers have guaranteed to their customers that, regardless of additional protection they may receive from the present tariff bill, there will be no increase in any price to them.

That is, to the consumer.

Mr. BARKLEY. Who is going to enforce that promise?

Mr. GOFF. I do not know that there is any law, if that is the question of the Senator, under which that could be enforced, except it be the law of competition in the economic field of industry.

I wanted to bring this to the Senator's attention, that we do have the assurance of both labor and capital that there will be no increase to the consumer if this tariff rate is adopted.

Mr. BARKLEY. I desire to call attention to a few comparisons between the prices of the imported chinaware and the comparable article made in the United States. We will take a decorated china dinner set of a hundred pieces, brought in from Germany. The value of that set at the factory in Germany is \$11.43. These are figures which I have obtained through the instrumentalities of the Tariff Commission and their experts. The packing amounts to 57 cents, the case in which the set of dishes is packed is 50 cents, making \$12.54. Add to that cartage to the station, inland freight, ocean freight, marine insurance, consular fee, which brings the figure up to

\$13.95. The present duty on the article is 70 per cent, which brings it up to \$22.73. The comparable domestic article is sold in the United States for \$17.20.

When you add the proposed specific duty, you bring that imported article up to \$23.56, while the same article made in the United States is valued at \$17.20.

On the basis of that, how can any increase in the tariff be justified? How can anybody claim that any depression in the pottery business of the United States is brought about by importations and underselling in these large commodities, consisting of 100-piece dinner sets, when the price of the imported article is higher than that of the domestic article?

Mr. GOFF. Mr. President—

Mr. BARKLEY. Let me finish these citations, if the Senator please.

I have here also the figures as to a decorated china dinner set of a hundred pieces imported from Japan. The value at the factory in Japan is \$11.99. Making the various additions I have already cited in the case of the other dishes, we bring it up to \$22.79 landed in the United States, including the duty of 70 per cent. The transportation from Seattle to New York is \$1.40, which brings it up to \$24.19. The proposed duty will bring it up to \$25.02. The comparable set of dishes in the United States, according to the figures furnished me, sells for \$17.29.

Let us compare an article brought in from Germany with the domestic article. Germany, Japan, and England are the three large countries of origin of some of these china and earthenware dishes.

Let us take an ordinary decorated cup and saucer. The value at the factory in Germany, plus all these other items which I have indicated, including the payment of the duty of 70 per cent, landed in New York is \$1.50. The equivalent ad valorem, if we add this specific duty, is 98 per cent, practically 100 per cent. The domestic cup and saucer of comparable value and design is worth \$1.30 in the United States.

The figures I have given for these imported articles do not include any profit to the importer. They simply include the landing of the articles in New York, duty paid.

If these figures are correct—and nobody has disputed them; they can not be disputed—how can it be contended that another 98 or 100 per cent duty is necessary upon these articles for the protection of the American product?

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. GEORGE. I want to ask the Senator a question to see if my understanding is correct about this matter. I voted under this apprehension, at any rate, just now. In the amendment we have just voted on a specific duty of 10 cents per dozen pieces was restored, but the ad valorem rate there is the same as in the present law.

Mr. BARKLEY. Yes.

Mr. GEORGE. That is correct, is it?

Mr. BARKLEY. That is correct.

Mr. GEORGE. There is no increase in the ad valorem rate.

Mr. BARKLEY. That is true.

Mr. GEORGE. But in line 19 there is an increase in the ad valorem rate above that in the present law, an increase above that in the House bill, as well as the specific.

Mr. BARKLEY. There is an increase in the ad valorem duty; but, of course, we struck out the specific duty, and added 5 per cent on the ad valorem duty.

Mr. GEORGE. And the ad valorem duty in paragraph 212 is also an increase over the rate in existing law.

Mr. BARKLEY. I will say to the Senator that, in addition to agreeing to the Senate committee amendment striking out the 10 cents a dozen pieces, the Senate, as in Committee of the Whole, eliminated this entirely, and put it back to 50, which it is in the present law, and was in the bill as it passed the House.

Mr. GEORGE. But as it now stands, as I understand it, the Senate amendment carries an increase in the ad valorem duty, in line 19.

Mr. BARKLEY. Yes; as reported by the committee, but that amendment was disagreed to as to 55 per cent, leaving it 50 per cent, as it is in the present law.

Mr. President, in the testimony before the Senate Finance Committee and before the Ways and Means Committee, it was admitted by Mr. Wells, who represented the pottery industry before those committees, that the type of article coming in from Japan is one not made in the United States, that it does not compete with any article made in the United States, except indirectly, just as a cotton suit of clothes competes with a woolen suit, because if one can not buy a woolen suit of clothes he would be compelled to buy a cotton suit; but they are not competitive articles. He also stated that, so far as these fancy

dishes are concerned, anybody can go into a store and tell any dish that is decorated in China or in Japan from that decorated in some other country. All the stores carry them, and they carry them because the taste of the American housewife has compelled them to carry them. It is proposed here by a tariff bill to destroy either the taste or the ability to gratify it.

Mr. GOFF. Mr. President—

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from West Virginia?

Mr. BARKLEY. I yield.

Mr. GOFF. Is it not better to destroy a fanciful taste than to keep thousands of people unemployed?

Mr. BARKLEY. The Senator can answer that question to his own satisfaction—

Mr. GOFF. I think I answered it in the question I propounded.

Mr. BARKLEY. I will answer the Senator's question and he need not be offended if I do not answer it in the first sentence I utter. Wherever the American people desire an article by reason of its type or appearance or its lightness or its fabric and nobody in the United States will either attempt to make or can make that article, then no one here has a right to ask Congress to pass a tariff bill that puts the tariff so high that our people can not buy that article unless those asking the tariff are willing to make the attempt to produce it in the United States. So far as I know no attempt has been made by anybody in the United States to produce this particular type of dish which the American housewife wants.

Mr. KEAN. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the junior Senator from West Virginia?

Mr. BARKLEY. I yield.

Mr. KEAN. I do not know whether the Senator is familiar with china, but there has been a long-established pattern in England which is blue china which is an exact imitation of the blue china made in China. If we will put enough duty on china in this country undoubtedly they will make a duplicate of the china made in Japan.

Mr. BARKLEY. We have been a Nation for 150 years and nobody has done it yet or attempted to do it. When are they going to begin?

Mr. KEAN. When we get a condition where American labor can afford to spend the time to do it.

Mr. BARKLEY. What the Senator means is that in order to induce the Americans to make this article, which they have never made or attempted to make, we ought to put a tariff on it so high that they can not come in here from abroad and then, perhaps, by chance some charitable institution will start to make a dish that will suit the fastidious taste of the American housewife.

Mr. KEAN. If we will put on a duty that compares in any sense with the difference between Japanese labor and American labor, the Americans will make that china.

Mr. BARKLEY. For a long time, as the Senator knows, we imported practically all of our china into the United States, and we do even now of the higher grades of china. The fine high-class chinaware that is used on the tables of the people of the United States, the expensive dinner sets that cost in the hundreds of dollars, are not now made in the United States. There is one company over in New Jersey that makes the Lenox brand of chinaware, which to some extent competes with the high-class English pottery. But we all know that any woman who is able to buy the better class of china begins to look for the brands that have been made for 100 years or more, that are well established and are sold by reason of their character, their appearance, their quality, and their standing.

Mr. HATFIELD. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from West Virginia?

Mr. BARKLEY. I am glad to yield to my chemical friend.

Mr. HATFIELD. The Senator may or may not know that the Lenox china manufactured at Trenton, N. J., now graces the White House table in Washington, D. C.

Mr. BARKLEY. Why, of course. There is no question about that. But is that any reason why the people of the United States should be compelled to buy Lenox china if they do not want it?

Mr. HATFIELD. That is very true, but the Senator made the statement that we import our best china from Europe.

Mr. BARKLEY. I still say that we import most of it.

Mr. HATFIELD. I beg to differ with the Senator.

Mr. BARKLEY. And except for the fact that the Lenox people make a special brand of china, we import all of our high-grade china from Europe.

Mr. HATFIELD. From what part of Europe?

Mr. BARKLEY. From England.

Mr. HATFIELD. We have no quarrel with England. We have no quarrel with France. The French people are standing, as the English are standing, with America against the cheap pottery manufactured in Germany and in Japan.

Mr. BARKLEY. And if the increased duty provided for in the bill was limited to the china that comes in from England I would not be occupying the time of the Senate to talk about it, because men and women who are able to buy the high-grade chinaware are able to pay a tariff of 10 cents a dozen pieces. But I am raising my voice for the people who can not afford Lenox china, for the people who can not buy Haviland, for the people who can not buy the high-grade articles of chinaware, but who do have to eat off of dishes.

Mr. BLEASE. Mr. President, will the Senator yield?

Mr. BARKLEY. Certainly.

Mr. BLEASE. I might remind the Senator from Kentucky that we also imported the present occupant of the White House from England. [Laughter.]

Mr. BARKLEY. I suppose that particular commodity at the time was on the free list, too. [Laughter.] However, I do not care to get into a discussion of the President of the United States, though I do desire to discuss the dishes which he and everyone else have to buy for use in the consumption of their food.

The Senator from West Virginia and every other Senator here knows that the item of dishes in every household is a very important item. There are thousands, yes, millions of working people in the United States who can not afford these expensive dishes. If the Senator would go into their homes, he would find a rough, heavy quality of dishes. They can not afford to buy any better quality. Seemingly the desire of the Senator from West Virginia is to make it difficult for them to buy even that type of dishes in the United States. Of course I realize that no argument I might present could make any impression on the Senator from West Virginia on this subject, because he has a pottery in West Virginia.

Mr. HATFIELD. We have 22 of them.

Mr. BARKLEY. I apologize to the Senator for the modesty of my statement. Are they all owned by one concern?

Mr. HATFIELD. No; they are not.

Mr. BARKLEY. How many of them are owned by the Homer Laughlin Co.?

Mr. HATFIELD. The Homer Laughlin Co., as I understand it, have two batteries of continuous kilns. They have done away with their periodic kilns.

Mr. BARKLEY. In other words, the Homer Laughlin Co. are using the most up-to-date method of manufacturing this ware and they have been the leaders in the installation of modern methods. They have, by reason of that fact, been able to compete not only with domestic production, but to drive much of it out of business. Many of the potteries that have not been willing to adopt the new methods have gone out of business, just as many of the old merchant furnaces producing pig iron have gone out of business because they would not install the modern methods of producing pig iron, just as the old-fashioned methods of producing plate glass and window glass have gone out of business because they could not compete with the modern methods.

Mr. HATFIELD. I wish to suggest to the Senator from Kentucky that to-day I discussed extensively the modern kiln that is found in the United States to-day, and I established the fact by a preponderance of evidence, taken from investigations made by the Labor Department and by another department of the Federal Government, that the American kiln, the periodic kiln, is the most modern of any of the kilns that produces pottery that can be found in the world. It is not therefore a lack of modern kilns in America that brings about the present condition. It is due to the difference in the price paid labor at home and abroad.

Mr. BARKLEY. The Senator has not yet disputed the figures I gave a while ago of the imports from Japan and from Germany and from England.

Mr. FESS. Mr. President, will the Senator yield?

THE PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Ohio?

Mr. BARKLEY. I yield.

Mr. FESS. The Senator made a similar statement in the committee when we were originally discussing this matter. The Senator's statement was refuted by men in Ohio, from the town of Sebring, by whom it was stated that they had the most modern and up-to-date machinery that is known in the business.

Mr. BARKLEY. I have never said anything about Sebring. There is a company there known as the Sebring Pottery Co. which has been taken over and absorbed by one of the larger companies.

Mr. FESS. That is one of the towns which is a pottery town, and it is in great distress now because of the bad condition of the business. I want to ask the Senator from Kentucky, who is a fair-minded man, and in spite of his position I think a great deal of him, whether he believes that it is a sound policy if one company, like the Laughlin, for example, is able to meet foreign competition, for us to ignore the smaller companies, the only companies that really need protection? The Senator does not believe that, does he?

Mr. BARKLEY. No; I do not believe that, but where I find the Homer Laughlin Co., by reason of its modern methods, by reason of its efficiency, able to monopolize the domestic market in the cheaper articles to which this specific tax applies most heavily, then I am forced to believe there is something else the matter with the companies that are depressed because of a lack of tariff.

Mr. FESS. The industry represents to me that the competition with foreign countries is the basis of the distress.

Mr. BARKLEY. I know that, otherwise they would have no basis whatever for asking for an increased tariff or even for the retention of the present duty. They are bound to make that representation, otherwise they would have no standing in court.

Mr. HATFIELD. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. HATFIELD. I beg to inform the Senator from Kentucky that Mr. Sebring is very much in business. He owns four or five individual kilns throughout the Ohio section. He built an American continuous kiln. He also went to Germany and purchased a modern continuous kiln in Germany. He brought the German kiln over and established it at Sebring, Ohio.

Mr. BARKLEY. Could he not get one in this country?

Mr. HATFIELD. One in this country and one in Germany.

Mr. BARKLEY. Why did he want to import one if he is against the importation of foreign articles?

Mr. HATFIELD. Let me finish my statement, if the Senator please. He discontinued the use of both of those continuous kilns and erected in their place periodic kilns.

Mr. BARKLEY. He went back to the old-fashioned method then?

Mr. HATFIELD. He went to the most modern method of periodic kiln by which the best china is made, whether at home or abroad.

Mr. BARKLEY. Mr. President, I have here some photographs of some of the samples brought over to the Finance Committee and exhibited there to show the effect of the tariff. I want to call the attention of the Senate to just a few of them. I have here a picture of a china egg cup, on which there is now a duty of 70 per cent; but when it is brought into the United States under this proposed 10 cents specific duty the total rate will be 140 per cent, an increase of 100 per cent in the duty on this particular article.

I have here a picture of a salt and pepper set—two pieces. The present duty is 70 per cent; but if this amendment imposing an extra 10-cent specific duty, shall be agreed to, the total ad valorem duty will be 163 per cent. I have here an earthenware salt and pepper set on which the duty is 50 per cent.

Mr. FESS. Mr. President, does not that same situation apply to almost every article in the various schedules? One can pick out this or that article on which there seems to be an abnormal duty; but that is not the case when a schedule is considered as a whole.

Mr. BARKLEY. This increase will apply almost universally to all the cheaper classes of chinaware. I am only referring, of course, to the samples which were brought down here and exhibited before the Finance Committee. While it may not seem very important to those of us who do not have to use the cheaper grades of tableware, it is a matter of concern to the men, women, and children of the United States when the tariff on dishes of a cheap quality is increased from 150 to 500 per cent.

It may be that most of the Members of this body and their families are able to buy Lenox and Haviland and other high-grade articles of chinaware, but there are millions upon millions of people in the United States to whom an increase of 100 per cent in a 50-cent article means, in all probability, in these times a curtailment of just so much food.

I could go through this list here for an hour and point out instances of the injustice of this specific rate, but I am not going to do it. I am through; the Senate may now take a vote, so far as I am concerned, without any further argument.

Mr. FESS. Vote!

Mr. BARKLEY. I make the point of no quorum, Mr. President.

THE PRESIDING OFFICER (Mr. McCulloch in the chair). The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Fletcher	Johnson	Robson, Ky.
Asbust	Frazier	Jones	Schall
Baird	George	Kean	Schepard
Barkley	Glass	Keyes	Sherridge
Black	Glenn	La Follette	Smith
Blaine	Goff	McCulloch	Smoot
Blease	Goldsborough	McKellar	Steck
Borah	Grundy	McMaster	Stephens
Bratton	Hale	McNary	Swanson
Brock	Harris	Metcalf	Thomas, Idaho
Broussard	Harrison	Norbeck	Thomas, Okla.
Capper	Hastings	Norris	Trammell
Connally	Hatfield	Nye	Tydings
Copeland	Hawes	Oddie	Vandenberg
Dale	Hayden	Patterson	Walsh, Mont.
Dill	Hebert	Phipps	Waterman
Fess	Hefflin	Pine	

The PRESIDING OFFICER (Mr. Fess in the chair). Sixty-seven Senators having answered to their names, a quorum is present.

Mr. NYE. Mr. President, I hope that Senators are fortunate enough to be owners of stock in the various domestic cement companies. I merely wish to call the attention of the Senate to the fact that just a few minutes after 2 o'clock this afternoon, or about an hour before the stock exchange closed, we voted on the question of a duty on cement and that whereas the previous "close" for the stock of the International Portland Cement Co. on yesterday was 56%, to-day it was high at 63% and closed at 62½; that whereas at yesterday's close Lehigh Portland Cement Co. stock was 35, to-day's high was 40¼ and the close was 40; and that whereas the common stock of the Penn-Dixie Cement Co. yesterday closed at 7½ it closed to-day at 10½, and while Penn-Dixie's preferred stock closed yesterday at 43½ it closed to-day at 52¼.

Mr. BLAINE and Mr. SMITH addressed the Chair.

The PRESIDING OFFICER. Does the Senator from North Dakota yield; and if so, to whom?

Mr. NYE. I yield first to the Senator from Wisconsin.

Mr. BLAINE. I heard comments on the floor yesterday to the effect that the stock of the sugar companies had gone up, and I hear to-day that cement stock has gone up. I should like to inquire of the Senator from North Dakota if it is not true that butter and wheat and most other farm commodities, even after tariff rates on them were increased, have been going down in price?

Mr. NYE. I think the Senator might go a step farther and remark that upon agricultural products, in some cases, it is even difficult to get a bid.

Mr. SMITH. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from South Carolina?

Mr. NYE. I yield to the Senator from South Carolina.

Mr. SMITH. I should like to state to the Senator that in to-day's market cotton closed lower than it has been since the World War. It lacked only 5 points of entering the 13-cent column, from a price some time ago of 21 cents, representing a decline of from \$35 to \$40 a bale, although the stocks on hand are the smallest since the World War and—

Mr. KEAN. Mr. President—

Mr. SMITH. Just a moment—and with the world consumption about 2,000,000 bales in excess of the ordinary consumption, the 2,000,000 bales increased consumption extending from 1927 to date, covering a period of about three years. In 1926 the maximum consumption of American cotton by the world was about 13,000,000 bales; in 1927 the consumption jumped to 15,780,000 bales; in 1928, 15,400,000 bales, and in 1929 to 15,070,000 bales; and the consumption promises this year to be around the 15,000,000-bale point. Yet, with small stocks and a 2,000,000-bale excess consumption, the price of cotton to-day touched the lowest point it has reached since the World War.

Mr. KEAN and Mr. TRAMMELL addressed the Chair.

The PRESIDING OFFICER. Does the Senator from North Dakota yield; and if so, to whom?

Mr. NYE. I yield first to the Senator from New Jersey.

Mr. KEAN. I merely wanted to remark that perhaps the condition stated by the Senator from South Carolina may be due to the fact that most of the Senators on the other side of the aisle voted against a duty on cement which uses more than 60,000,000 cotton bags a year.

Mr. SMOOT. If that were true, if the Senator from North Dakota will allow me, an increase in the price of cement, according to the Senator's doctrine, would increase the consumption, and the greater prosperity of the industry might cause cotton to go up in sympathy; but the cotton for the cement bags can be obtained for less than ever.

Mr. TRAMMELL. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Florida?

Mr. NYE. I yield.

Mr. TRAMMELL. Reference has been made to quotations showing the increase in the price of the stock of American sugar companies and also of cement companies. I did not vote for the duty on cement, but I did vote for the 2-cents-a-pound duty on sugar, though I declined to vote for a 2.25-cent rate. Had the vote been different, does not the Senator think that some other Senator to-night might have read stock quotations showing that the price of the stock of Cuban sugar companies had increased or that the price of the stock of Belgian cement companies had increased.

Mr. NYE. I doubt that very much, Mr. President.

Mr. TRAMMELL. So far as I am concerned, I would rather see the stock of American institutions increase than to see the stock of foreign companies increase.

Mr. BARKLEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Kentucky?

Mr. NYE. I yield.

Mr. BARKLEY. Am I correct in understanding that the Senator read a list of cement and sugar stocks that have gone up in value?

Mr. NYE. No; I did not read any of the sugar-stock items. I confined myself to cement.

Mr. BARKLEY. I wish to inquire of the Senator if he can explain how that is, because we were told here that the tariff on cement would not increase the price of cement in the United States. If that is true, how could the stocks go up in value just on one day's notice?

Mr. NYE. I shall not attempt to answer the Senator's question. It is quite beyond me, in view of the presentations that have been made here in behalf of a duty on cement.

Mr. NORRIS. Mr. President, will the Senator yield to me?

Mr. NYE. I yield.

Mr. NORRIS. I hope the Senator and the other Senators will not feel depressed, because there is some very cheering news that I wish to announce.

I have before me the evening paper; and in flaming headlines clear across it I read this:

Hoover sees end of depression in 60 days.

So, while the farmer may be going down, big business is going up. We are going to have good times in 60 days.

Mr. BARKLEY. So, on the 7th of May everything will be all right.

Mr. SMOOT. If we would only quit our talking and do some legislating, business would be better off.

Mr. BROUSSARD. Mr. President, I desire to say just a few words.

My friend from South Carolina [Mr. SMITH] brought in the question of cotton and its depressed price. If you will look at the statistics, Mr. President, you will see that in the eighties cotton and sugar sold at about the same price—between 5 and 8 cents a pound. They averaged about the same. My good friend from the cotton States vote against a duty on sugar when sugar is selling for 3.54 cents a pound, and they are kicking because they can not borrow more than 16 cents on a pound of cotton.

Mr. COPELAND. Mr. President, I understand that my friend from Kentucky [Mr. BARKLEY] just made some comparisons between dishes made in Germany and those made in America. Am I right in that?

Mr. BARKLEY. Yes; I made some comparisons as to Germany and Japan, and also, I think, England.

Mr. COPELAND. I did not hear what the Senator said, so perhaps my understanding in regard to his statement is not correct; but I hold in my hand the Summary of Tariff Information in regard to a decorated china dinner set of 100 pieces imported from Germany, and the total value, including duty at the proposed rate, at New York City was \$23.56. I think those are the figures the Senator gave. Now, if we compare that, which is china, with a domestic decorated earthenware dinner set we should find the comparison to our disadvantage, because the value of the imported china set is \$23.56, while the value of the domestic decorated earthenware dinner set is \$17.29; but the value of the domestic decorated vitreous china dinner set, which corresponds to the German set which is delivered at \$23.56 in New York, would be \$46.73.

Mr. BARKLEY. Mr. President, the Senator, of course, understands that the domestic vitreous china is largely hotel chinaware. The vitreous china made in the United States is not used very largely in the home, and it is made by a different process. It is thicker and heavier and harder, and it has been

baked longer. So it is hardly fair to compare a set of dishes used in a hotel with a set used in a home. It is for that reason that the Tariff Commission, in those figures, makes a comparison between the American-produced earthenware household article and the imported article.

Mr. COPELAND. Yes; but it would be unfair to give the impression that this imported ware from Germany is earthenware. It is not. It is china; and the price of the German china set is \$23, while the price of the domestic china set would be \$46.

The PRESIDING OFFICER. The question is on concurring in the amendment made as in Committee of the Whole.

Mr. GEORGE. Mr. President, I should like to have the amendment stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 40, lines 18 and 19, strike out "10 cents per dozen pieces" and insert "50."

Mr. COPELAND. Mr. President, let us be clear about it. What we are asking is that the House language be restored.

The PRESIDING OFFICER. A negative vote restores the House language.

Mr. COPELAND. The Senate committee changed the "50" to "55"; but we are asking, not for "55," but that the House language of "10 cents per dozen pieces and 50 per cent ad valorem" be restored.

The PRESIDING OFFICER. The Senate committee increased it to "55," but the Senate made it "50."

Mr. COPELAND. Then if I wish to vote—as I do—for the House language, how do I vote?

The PRESIDING OFFICER. "No."

Mr. COPELAND. I thank the Chair.

The PRESIDING OFFICER. The question is on concurring in the amendment made as in Committee of the Whole.

Mr. BARKLEY. Let us have the yeas and nays.

The yeas and nays were ordered.

Mr. GEORGE. Mr. President, before the roll call is commenced, I desire to make a very brief statement.

When the pottery schedule was under consideration before I went into it with as much care as I could, and I reached the conclusion that there was considerable depression in the industry. Whether rightly or wrongly, my information all indicated that there was considerable depression; and I believe that there should have been some slight increase in the rate.

I do not think all of the increases made by the House were justified. I did believe, however, that there was justification for a slight increase in the basic plain ware under paragraph 211. It seems to me that the additional ad valorem ought to be sufficient, under economic management, to take care of the additional cost upon the decorated or painted product. It seems to me also that the ad valorem rate in paragraph 212—that is, the chinaware—ought to be sufficient to take care of the needs of the industry.

Mr. President, I wanted to make this statement because I regret that I am not able to vote for these specific increases in line 19 and on the subsequent pages, because I think the increased ad valorem there ought to be sufficient to take care of what I must concede, from such investigation as I was able to make, to be a distressful condition in this particular industry.

The PRESIDING OFFICER. The question is on concurring in the amendment made as in Committee of the Whole. On that question the yeas and nays have been demanded and ordered. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. BROCK (when his name was called). I have a pair with the junior Senator from Wyoming [Mr. SULLIVAN]. Therefore I withhold my vote.

Mr. McKELLAR (when his name was called). On this question I have a pair with the junior Senator from Delaware [Mr. TOWNSEND] and therefore withhold my vote.

Mr. PATTERSON (when his name was called). On this question I have a pair with the junior Senator from New York [Mr. WAGNER]. I understand that if he were present, he would vote "yea." I transfer that pair to the junior Senator from Vermont [Mr. DALE] and will vote. I vote "nay."

Mr. SMITH (when his name was called). I have a pair with the Senator from Indiana [Mr. WATSON]. I transfer that pair to the Senator from Nevada [Mr. PITTMAN] and will vote. I vote "yea."

Mr. STECK (when his name was called). I have a general pair with the senior Senator from New Hampshire [Mr. MOSES]. I transfer that pair to the junior Senator from Massachusetts [Mr. WALSH] and will vote. I vote "yea."

Mr. STEPHENS (when his name was called). I have a pair with the junior Senator from Indiana [Mr. ROBINSON] and therefore withhold my vote.

Mr. THOMAS of Idaho (when his name was called). On this question I have a pair with the junior Senator from Iowa [Mr. BROOKHART]. I understand that if he were present, he would vote "yea." I transfer that pair to the Senator from Oregon [Mr. McNARY] and will vote. I vote "nay."

The roll call was concluded.

Mr. HAYDEN. On this question I have a pair with the junior Senator from Oregon [Mr. STEIWER] and withhold my vote. If I were at liberty to vote, I should vote "yea"; and if he were present, he would vote "nay."

Mr. GLASS. I have a general pair with the senior Senator from Connecticut [Mr. BINGHAM]. Not knowing how he would vote on this question, I shall have to withhold my vote. If at liberty to vote, I should vote "yea."

Mr. FESS. I desire to announce the following general pairs:

The Senator from Illinois [Mr. DENEEN] with the Senator from North Carolina [Mr. OVERMAN];

The Senator from Massachusetts [Mr. GILLET] with the Senator from North Carolina [Mr. SIMMONS];

The Senator from Minnesota [Mr. SHIPSTEAD] with the Senator from Wyoming [Mr. KENDRICK];

The Senator from Pennsylvania [Mr. REED] with the Senator from Arkansas [Mr. ROBINSON];

The Senator from Maine [Mr. GOULD] with the Senator from Utah [Mr. KING];

The Senator from Nebraska [Mr. HOWELL] with the Senator from Louisiana [Mr. RANDELL];

The Senator from Vermont [Mr. GREENE] with the Senator from Arkansas [Mr. CARAWAY]; and

The Senator from Connecticut [Mr. WALCOTT] with the Senator from Montana [Mr. WHEELER].

The result was announced—yeas 31, nays 28, as follows:

YEAS—31			
Allen	Capper	Hawes	Schall
Ashurst	Connally	Heflin	Sheppard
Barkley	Dill	Johnson	Smith
Black	Fletcher	La Follette	Steck
Blaine	Frazier	McMaster	Swanson
Blease	George	Norbeck	Tydings
Borah	Harris	Norris	Walsh, Mont.
Bratton	Harrison	Nye	
NAYS—28			
Baird	Grundy	Keyes	Robison, Ky.
Broussard	Hale	McCulloch	Shortridge
Copeland	Hastings	Metcalf	Thomas, Idaho
Fess	Hatfield	Oddie	Thomas, Okla.
Glenn	Hebert	Patterson	Trammell
Goff	Jones	Phipps	Vandenberg
Goldsborough	Kean	Pine	Waterman
NOT VOTING—37			
Bingham	Gould	Pittman	Sullivan
Brock	Greene	Ransdell	Townsend
Brookhart	Hayden	Reed	Wagner
Caraway	Howell	Robinson, Ark.	Walcott
Couzens	Kendrick	Robinson, Ind.	Walsh, Mass.
Cutting	King	Shipstead	Watson
Dale	McKellar	Simmons	Wheeler
Deneen	McNary	Smoot	
Gillett	Moses	Steiwer	
Glass	Overman	Stephens	

So the amendment was concurred in.

The PRESIDING OFFICER. The clerk will report the next amendment on which a vote was reserved.

The CHIEF CLERK. The next amendment on which a vote was reserved was on page 41, line 12, where the Senate, as in Committee of the Whole, struck out "10 cents per dozen pieces and."

The amendment was concurred in.

The next amendment on which a vote was reserved was on page 41, line 17, where the Senate, as in Committee of the Whole, struck out the words "10 cents per dozen pieces and."

The amendment was concurred in.

The next amendment on which a vote was reserved was on page 41, line 17, where the Senate, as in Committee of the Whole, struck out the word "valorem" and inserted the words "valorem; any of the foregoing articles containing 25 per cent or more of calcined bone, not painted, colored, tinted, stained, enameled, gilded, printed, or ornamented or decorated in any manner, 50 per cent ad valorem; painted, colored, tinted, stained, enameled, gilded, printed, or ornamented or decorated in any manner, 55 per cent ad valorem."

Mr. BARKLEY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BARKLEY. The mere fact that a reservation was made under the general head of "pottery," without any designation of the amendments that were adopted as in Committee of the Whole in that schedule, does not seem to me to require that every amendment adopted as in Committee of the Whole should be read for a revote, unless somebody asks for it. I do not recall that this amendment was specified. If it was, it is all right, but the mere fact that it is an amendment brought in by

the Finance Committee and agreed upon as in Committee of the Whole does not seem to me to require a vote on concurrence.

The PRESIDING OFFICER. The Chair has sympathy with what the Senator says, but since there was not any specification, but a blanket reservation, the vote will have to be taken on every amendment, unless it is agreed by unanimous consent otherwise. The Chair would call the attention of the Senator from West Virginia to this amendment.

Mr. WALSH of Montana. Mr. President, I was unable to hear the ruling of the Chair. It is exceedingly important. I would like to understand what it is.

The PRESIDING OFFICER. The Senator from Kentucky raised the question whether every amendment made as in Committee of the Whole on pottery should have an individual vote in the Senate unless requested, and the Chair's decision was that, since there was no specification other than as to "pottery," he would have to call for an individual vote on each amendment. If there is no desire to vote on any amendment, the announcement can be made that without objection the amendment is concurred in.

Mr. BARKLEY. It is my understanding that this was an amendment brought in by the Finance Committee and agreed to as in Committee of the Whole, and my recollection is that there was no contest about it.

Mr. WALSH of Montana. Mr. President, that is exceedingly important, because we will soon come to sundries, and am I to understand that if anyone reserved the right to a separate vote on sundries every vote taken as in Committee of the Whole will be open for consideration?

The PRESIDING OFFICER. "Sundries" is a schedule and "pottery" is a paragraph.

Mr. WALSH of Montana. As I understood it, pottery and glassware constitute an entire schedule.

Mr. BARKLEY. No; paragraphs 211 and 212 are in Schedule 2, which is under the general head of "Earthenware."

Mr. WALSH of Montana. That is pottery.

Mr. BARKLEY. But there are lots of other sorts of pottery besides the items in paragraphs 211 and 212.

Mr. WALSH of Montana. Exactly; and when a reservation is made as to pottery, under the ruling of the Chair, as I understand it, every paragraph dealing with pottery is open for another vote.

Mr. McKELLAR. Mr. President, if the Senator will look on page 2 of the list, he will find that paragraphs 211 and 212 were specifically set forth. So that it could not apply to anything else.

The PRESIDING OFFICER. Without objection, the last amendment stated is concurred in.

The clerk will state the next amendment as to which a vote was reserved.

The LEGISLATIVE CLERK. In paragraph 218, on page 44, line 22, the Senate as in Committee of the Whole struck out the words "bottles and jars provided for in," and inserted in lieu thereof the words "articles provided for in paragraph 217 or in," so as to read:

All the foregoing except articles provided for in paragraph 217 or in subparagraph (e) —

Mr. JOHNSON. Mr. President, may I inquire whether the item now before us, "glassware," takes in every conceivable amendment and every amendment that was made as in Committee of the Whole?

The PRESIDING OFFICER. Paragraph 218 (a), 218 (c), and 219, as the Senator will see if he will consult the bill.

Mr. JOHNSON. I see them, but there are many amendments embraced in the paragraph. Could one by reserving a vote to the entire bill, as adopted as in Committee of the Whole, have the Senate voting continuously upon every conceivable amendment that had been passed on?

The PRESIDING OFFICER. If it were so reserved, we would be in that situation.

Mr. JOHNSON. All we would need would be a reservation to the entire bill?

The PRESIDING OFFICER. That would do it.

Mr. JOHNSON. Mr. President, I am not questioning the legal or technical accuracy of what the Presiding Officer says, but may I mildly suggest that it does not quite make sense.

The PRESIDING OFFICER. The Chair would state that this whole procedure seems like nonsense to the Chair.

Mr. ASHURST. Mr. President, I assure the Senate that I do not rise in any spirit of censoriousness. The last thing I would like to do would be to appear to be ungracious, but at this juncture I feel it to be a duty I must perform to ask the Chair rigidly to enforce the rule found on page 23 of our rules, that no Senator may speak more than twice on any one question on the same day. For 40 years the construction of that rule has been

that when a Senator yields twice, even for a question, he has lost the floor. I ask that that rule be enforced if we are ever to get through with this bill.

I have not taken up a quarter of a page of the CONGRESSIONAL RECORD during the consideration of this bill, and do not expect to do so, but I feel that this rule ought to be enforced. I respectfully request and ask the Chair to do so henceforth, and that every Senator be put upon his notice that after he has yielded twice he has lost the floor.

The PRESIDING OFFICER. Without objection, the pending amendment is concurred in.

The next amendment on which a separate vote was reserved was, on page 45, line 1, after the word "tubes," to strike out the word "or" and to insert in parenthesis the words "(except gauge glass tubes) and."

Mr. COPELAND. Mr. President, I move, in line 1, after the word "tubes" to insert a comma and the words "rods, canes," so that it will read:

Tubes (except gauge glass tubes), rods, canes, and tubing.

If I may have the attention of the Senator from Utah, the reason for it is that in four different places in the bill we have provided for rods, these glass rods I am talking about, which are found in bath rooms for hanging towels on. We have them at a rate of 40 per cent for the opal, 50 per cent for the colored ones, 65 per cent for the tube, and 85 per cent for the glass rod, all made in exactly the same way.

My suggestion to the Senator is that, so far as the chairman may, he accept this amendment, take it to conference, and then will be in position to strike out the language on page 44, line 19, where it appears, and on page 53, line 15, and since this paragraph, where I have placed it, is the one in which we find the largest number of importations, it would seem to me that the rate there of 65 per cent would be a very fair rate, and put them all on the same level.

Mr. SMOOT. What the Senator wants is to take out rods from paragraph 218.

Mr. COPELAND. Yes, on line 19.

Mr. SMOOT. Carrying a duty of 85 per cent ad valorem, and to put them in subdivision (b), carrying a duty of 65 per cent ad valorem.

Mr. COPELAND. That is right; and then take them out on page 53, line 15.

Mr. SMOOT. That means to take the rods at 40 per cent out of paragraph 231 and put them in paragraph 265, and take the rods at 85 per cent and put them at 65 per cent.

Mr. COPELAND. I find that the large importations of these rods are under the paragraph on page 45.

Let the Senator take that to conference, and if it is found desirable to place it otherwise, of course that can be done, but I am satisfied that there is no reason on earth for having four articles identical in method of manufacture given four different rates of duty.

Mr. SMOOT. I can not say off-hand whether this, taking it as a whole, is an increase or a decrease. My opinion is that it is an increase, on the whole. It may be well enough, if there is no objection, to let these matters go to conference, but I would want that understood.

Mr. COPELAND. I think the matter should go to conference, with the conferees free to make the adjustment in any manner.

Mr. SMOOT. Of course we would have that right, but I would not want to be charged here with not having stood by the Senate amendment in conference.

Mr. COPELAND. I would not consider that the Senator could do anything that would cause such a charge. It stands to reason that the tubes and rods, no matter where they are, should be taxed the same. I am not interested in the amount of the tax, but simply in having them on the same level.

Mr. FLETCHER. The Senator used another word after the word "rod."

Mr. COPELAND. "Cane." It is the same thing.

Mr. SMOOT. I have no objection to letting it go to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

Mr. SMOOT. I understand that vote covers all three of the changes.

The PRESIDING OFFICER. Yes; it does. The question now is on agreeing to the amendment as amended.

The amendment as amended was agreed to.

Mr. COPELAND. Mr. President, in paragraph (c), page 45, line 13, I desire to have inserted after the word "glass" the words "including case glass." This is the reason for it. We see two lamp shades identical, but one is homogeneous and

the other made of two layers, of the clear glass and the opaque class. It is known as case glass. Undoubtedly since this paragraph covers all illuminating articles they would come in the same class.

Mr. SMOOT. What the Senator wants is, after the word "glass" in line 13, to insert "case?"

Mr. COPELAND. To insert the words "including case glass."

Mr. LA FOLLETTE. Mr. President, when two Senators get their heads together and whisper to each other in the way the Senator from New York and the Senator from Utah are now doing, it is impossible for anyone to hear what they are saying.

Mr. SMOOT. I did not know the Senator was listening.

Mr. LA FOLLETTE. Mr. President, who has the floor?

The PRESIDING OFFICER. The Senator from New York.

Mr. LA FOLLETTE. I would like to ask the Senator from New York what rate case glass now bears.

Mr. COPELAND. When it comes in as an illuminating article—

Mr. SMOOT. The case-glass rate is 60 per cent. The Senator from New York takes case glass and puts it in with glass for use in connection with articles of illumination at 70 per cent. It would be an increase of 10 per cent.

Mr. COPELAND. Let me say to the Senator from Wisconsin, if he will notice the language of subparagraph (c), it reads "illuminating articles of every description, finished or unfinished, wholly or in chief value of glass, for use in connection with artificial illumination." Unquestionably the customs court would say that these are identical objects. The articles are identical in use.

Mr. BARKLEY. The situation is that case glass is simply a glass that comes in at 60 per cent, and I think the language of the paragraph is broad enough to cover case glass.

Mr. COPELAND. That is true.

Mr. BARKLEY. It is a matter of precaution that causes the Senator to desire it placed here?

Mr. COPELAND. Yes.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New York to the amendment made as in Committee of the Whole.

The amendment to the amendment was agreed to.

The amendment as amended was concurred in.

Mr. SMOOT. Mr. President, I send to the desk the following amendment.

The PRESIDING OFFICER. The Chair would like to call the attention of the Senator from Utah that all of the amendments have been reserved in paragraph 218.

Mr. SMOOT. This is an entirely new amendment.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 45, line 17, strike out the words "and parts thereof," and after the word "valorem" insert the following:

Provided, That parts not specially provided for, wholly or in chief value of glass, or any of the foregoing shall be subject to the same rate of duty as the articles of which they are a part.

Mr. SMOOT. Mr. President, the explanation of this amendment is very brief. The subparagraph as agreed to in Committee of the Whole included only parts of illuminating glassware and failed to provide for parts as, for example, of glass chandeliers. The amendment corrects the error and provides that parts shall be dutiable at the rate provided for on the article of which it is a part.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. Without objection the amendment as amended is concurred in. The Chair calls attention to the fact that the amendment in lines 5 and 6, page 45, has not yet been acted upon. Without objection that amendment is concurred in.

Mr. COPELAND. Mr. President, if I may have the attention of the Senator from Utah [Mr. Smoot] and my colleagues on this side of the Chamber, when the matter of bottles came up the first time, the then Senator from New Jersey, Mr. Edge, was very anxious to have the rate on ground glass bottles, hand-blown, raised to 82½ per cent. I resisted that, and then made a very stupid error. I asked that the rate be made 75 per cent on the handblown bottles, and then insisted that 65 per cent should be put upon automatic machine-made bottles. Those are very cheaply made and are used in every 5 and 10 cent store, the little bottles for perfumery that are sold in those stores being made in this way by machinery. The next time the matter came up, after some discussion, the rate was fixed on the auto-

matic machine-made bottles at 40 per cent. They are now coming in at 50 cents a gross. My amendment is to change the rate on automatic machine-made bottles to 25 per cent, so it would read:

(e) Bottles and jars, wholly or in chief value of glass, of the character used or designed to be used as containers of perfume, talcum powder, toilet water, or other toilet preparations; bottles, vials, and jars, wholly or in chief value of glass, fitted with or designed for use with ground-glass stoppers, when suitable for use and of the character ordinarily employed for the holding or transportation of merchandise; all the foregoing produced by automatic machine, 25 per cent ad valorem; otherwise produced, 75 per cent ad valorem. For the purposes of this subparagraph no regard shall be had to the method of manufacture of the stoppers or covers.

I move that the figures "25" be substituted for the figures "40."

Mr. SMOOT. That is even lower than the rate to-day.

Mr. COPELAND. Oh, no.

Mr. SMOOT. Valued at \$1.50 under paragraph 215 they carry 50 cents a gross, and the ad valorem equivalent is 33¼ per cent.

Mr. COPELAND. The Senator need have no distress about it because we are not importing any of these bottles.

Mr. SMOOT. I have no distress at all, not any more than the Senator has when we are asking for increased rates. I am calling the attention of the Senate to the facts in the case. If the Senate wants to make the change, that is all right, but these are the facts. The Senator may be perfectly right in saying 25 per cent is ample protection.

Mr. COPELAND. I want to say in reply to what the Senator just said that there was one witness before the committee and he represented the hand-blown bottles.

Mr. SMOOT. I am not talking about any witness.

Mr. COPELAND. He said he did not care if there was no protection placed upon the automatic machinemade bottle.

Mr. SMOOT. I am not saying anything about what any witness said. I am giving the rate to-day as submitted to me by the Tariff Commission. That is all I am stating. The Senator's first proposition was 40 per cent.

Mr. COPELAND. Oh, No. My first proposition was an idiotic one.

Mr. SMOOT. That is probably true.

Mr. COPELAND. It was 65 per cent, because I did not understand the problem, and if it had not been for my stupidity there would not be any rate placed upon these bottles. They would automatically fall under paragraph 217, because former Senator Edge urged me at the time to withdraw the suggestion about the rate on automatic machinemade bottles, and my friend the Senator from Georgia [Mr. GEORGE] told me at the time that it was a mistake on my part, because they would automatically fall under paragraph 217. Now we have rearranged paragraph 218 with new language, so as to cover these technical instruments and bottles that are used in laboratories, that are ground out, where a ground-glass stopper might be used, but where a device slips in a tube inside. That is taken care of in the new language. Therefore we must have a rate on the bottles. That is the rate which I am suggesting, and I am confident that it does not mean any change over the present situation that is material in the least, but it does correct what I regret exceedingly was my own stupid failure in the matter to present it in the right way at the time.

Mr. SMOOT. The Senator's first proposition may have been idiotic; he admits it was; but what about his second proposition of 40 per cent? Was that idiotic, too?

Mr. COPELAND. This is what happened: The Senator from Utah [Mr. Smoot] told me that he was going to insist on 50 per cent, and I begged him not to do that, and finally it was agreed that it should be put at 40 per cent. It is very clear to all concerned. Here is the reason why I propose to put any rate on at all. I am anxious that the bottle blowers of New Jersey and Maryland should be given this protection, but if we make the rate so high on the automatic machinemade bottles, then it throws all of the traffic into hand-blown bottles. These are articles that are used everywhere in every household, in every doctor's office, in every nurse's office, on every manicure table, wherever bottles are used with glass stoppers, not hand blown but turned out by the millions by machinery.

Mr. SMOOT. Forty per cent is not going to throw them into any other paragraph. This being a cheap bottle, the 40 per cent on cheap bottles would apply, and nobody will ever think for a moment that it is going to be thrown into the 75 per cent bracket. Nobody wants it there and nobody would vote to put it there.

Mr. GEORGE. Mr. President, may I ask the Senator what is the equivalent ad valorem at the present time?

Mr. SMOOT. On a value of \$1.50 the equivalent ad valorem is 33½ per cent.

Mr. GEORGE. I well recall when this particular paragraph was first reached that the Senator from New York insisted upon a duty of 65 per cent, and I then called his attention to the fact that he was out of line, but he was somewhat confused as to the facts and insisted on placing 65 per cent. Subsequently, it was placed at 40 per cent. I am sure the Senator from New York has merely discovered the original confusion and wishes to get it corrected.

Mr. SMOOT. Why will not the Senator take 33½ per cent ad valorem?

Mr. COPELAND. No; I will not do that.

Mr. SMOOT. Then, I want a vote.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from New York to the amendment adopted as in Committee of the Whole. [Putting the question.] The Chair is in doubt.

On a division, the amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question is on concurring in the amendment adopted as in the Committee of the Whole as amended.

The amendment adopted as in Committee of the Whole, as amended, was concurred in.

Mr. SMOOT. Mr. President, unfortunately, two Senators were compelled to leave the Chamber who are interested in the next paragraph—the glass paragraph.

Mr. LA FOLLETTE. Who are they, Mr. President?

Mr. SMOOT. I do not think I had better say anything about that.

Mr. LA FOLLETTE. I think that Senators ought to remain here when these items are coming up.

Mr. SMOOT. I think so, too.

Mr. LA FOLLETTE. I object to anything being put over.

Mr. SMOOT. I was going to say that we are going to meet at 10 o'clock to-morrow morning, and I thought, perhaps, we had better take a recess now and take the item up to-morrow morning. I was not going to ask to put it over.

Mr. LA FOLLETTE. Very well; but I do not think Senators ought to ask that amendments be delayed because of their engagements.

Mr. SMOOT. If we took it up now we would spend three-quarters of an hour and could not then get a vote.

Mr. LA FOLLETTE. I am willing, if the Senator wants to take a recess; but I do think that Senators ought not to ask for any further delay in the consideration of these items.

Mr. SMOOT. I do, too; but the Senators whom I have in mind said they had to go out of town, or they would have been here.

I move, Mr. President, that the Senate take a recess, the recess being until 10 o'clock to-morrow morning.

The motion was agreed to; and (at 9 o'clock and 17 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until to-morrow, Saturday, March 8, 1930, at 10 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate March 7 (legislative day of January 6), 1930

COAST GUARD

Edward M. Kent to be a constructor in the Coast Guard of the United States, to rank as such from March 3, 1928.

APPOINTMENT IN THE ARMY

To be assistant to the Quartermaster General, with the rank of brigadier general, for a period of four years from date of acceptance, with rank from April 16, 1930

Col. Henry Charles Whitehead, Quartermaster Corps, vice Brigadier General Harry F. Rethers, Assistant to the Quartermaster General, to be retired from active service April 15, 1930.

APPOINTMENTS, BY TRANSFER, IN THE ARMY

TO ORDNANCE DEPARTMENT

Maj. Gordon Bennett Welch, Coast Artillery Corps (assigned to duty with Ordnance Department), with rank from February 2, 1930.

TO CAVALRY

Second Lieut. Carroll Huston Prunty, Infantry, effective July 1, 1930, with rank from June 9, 1928.

PROMOTIONS IN THE ARMY

To be major

Capt. Augustine Joseph Zerbes, Field Artillery, from March 5, 1930.

To be captains

First Lieut. Andrew Ed Forsyth, Cavalry, from February 22, 1930.

First Lieut. David Goodwin Barr, Infantry, from March 1, 1930.

First Lieut. Mark Histan Doty, Field Artillery, from March 4, 1930.

First Lieut. Charles Peter Prime, Air Corps, from March 5, 1930.

To be first lieutenants

Second Lieut. Joris Bliss Rasbach, Field Artillery, from February 25, 1930.

Second Lieut. Herman Lester Darnstaedt, Infantry, from February 25, 1930.

Second Lieut. Leonard Marion Johnson, Field Artillery, from March 1, 1930.

Second Lieut. Chester Archibald Rowland, Corps of Engineers, from March 4, 1930.

Second Lieut. John Sterling Taylor, Infantry, from March 5, 1930.

MEDICAL CORPS

To be majors

Capt. Luther Remi Moore, Medical Corps, from February 27, 1930.

Capt. Carl Randolph Mitchell, Medical Corps, from March 1, 1930.

Capt. Michael Gerard Healy, Medical Corps, from March 3, 1930.

To be captain

First Lieut. Dean McLaughlin Walker, Medical Corps, from March 5, 1930.

POSTMASTERS

ALABAMA

Nelson C. Fuller to be postmaster at Centerville, Ala., in place of N. C. Fuller. Incumbent's commission expired March 2, 1930.

Clarence E. Combs to be postmaster at Fairfax, Ala., in place of C. E. Combs. Incumbent's commission expired March 2, 1930.

John B. Daughtry to be postmaster at Hartford, Ala., in place of J. B. Daughtry. Incumbent's commission expired March 2, 1930.

Florrie Vinson to be postmaster at Louisville, Ala., in place of Florrie Vinson. Incumbent's commission expired March 2, 1930.

Lucy Downing to be postmaster at Moulton, Ala., in place of Lucy Downing. Incumbent's commission expires March 11, 1930.

Robert A. Tuck to be postmaster at Oneonta, Ala., in place of R. A. Tuck. Incumbent's commission expired March 2, 1930.

James A. Anderson to be postmaster at University, Ala., in place of J. A. Anderson. Incumbent's commission expired March 2, 1930.

ARIZONA

Donald McIntyre to be postmaster at Yuma, Ariz., in place of Donald McIntyre. Incumbent's commission expires March 11, 1930.

ARKANSAS

Charles A. Kelley to be postmaster at Searcy, Ark., in place of C. A. Kelley. Incumbent's commission expired December 17, 1929.

CALIFORNIA

Henry M. Hammond to be postmaster at Alameda, Calif., in place of H. M. Hammond. Incumbent's commission expires March 11, 1930.

Leonard E. Whitener to be postmaster at Coalinga, Calif., in place of L. E. Whitener. Incumbent's commission expires March 11, 1930.

Carlos H. Salinas to be postmaster at Hermosa Beach, Calif., in place of C. H. Salinas. Incumbent's commission expired December 21, 1929.

Walter L. Cleveland to be postmaster at Huntington Park, Calif., in place of W. L. Cleveland. Incumbent's commission expires March 11, 1930.

Kenneth F. Reynolds to be postmaster at Irvington, Calif., in place of K. F. Reynolds. Incumbent's commission expires March 11, 1930.

Rebecca Dabney to be postmaster at La Crescenta, Calif., in place of Rebecca Dabney. Incumbent's commission expires March 11, 1930.

John C. Titterington to be postmaster at La Verne, Calif., in place of J. P. Dickey, resigned.

Fred R. Howe to be postmaster at Santa Cruz, Calif., in place of F. R. Howe. Incumbent's commission expires March 11, 1930.

Mary L. Cogan to be postmaster at Santa Margarita, Calif., in place of M. L. Cogan. Incumbent's commission expired March 2, 1930.

Elsie B. Lausten to be postmaster at Walnut Grove, Calif., in place of E. B. Lausten. Incumbent's commission expires March 11, 1930.

COLORADO

Robert L. Wilkinson to be postmaster at Burlington, Colo., in place of R. L. Wilkinson. Incumbent's commission expired February 23, 1930.

Charles Lawton to be postmaster at Fort Logan, Colo., in place of Charles Lawton. Incumbent's commission expires March 10, 1930.

Kiah C. Brown to be postmaster at Merino, Colo., in place of K. C. Brown. Incumbent's commission expires March 10, 1930.

CONNECTICUT

Samuel H. Kellogg to be postmaster at Colchester, Conn., in place of S. H. Kellogg. Incumbent's commission expired March 3, 1930.

Samuel E. Loudon to be postmaster at Riverside, Conn., in place of S. E. Loudon. Incumbent's commission expired March 3, 1930.

FLORIDA

Frank W. Rodenberg to be postmaster at Vero Beach, Fla., in place of G. K. Masten. Incumbent's commission expired March 11, 1928.

IDAHO

Elsie M. Renfrew to be postmaster at Potlatch, Idaho, in place of L. N. Balch, resigned.

ILLINOIS

Hamil E. Veach to be postmaster at Clayton, Ill., in place of H. E. Veach. Incumbent's commission expired March 3, 1930.

Charles L. Smith to be postmaster at Cutler, Ill., in place of C. L. Smith. Incumbent's commission expired March 3, 1930.

George M. Clark to be postmaster at Galesburg, Ill., in place of G. M. Clark. Incumbent's commission expired February 6, 1930.

John R. McIntire to be postmaster at Grand Chain, Ill., in place of J. R. McIntire. Incumbent's commission expired March 3, 1930.

William E. Erfort, jr., to be postmaster at Lansing, Ill., in place of W. E. Erfort, jr. Incumbent's commission expired March 3, 1930.

Arthur J. Mollman to be postmaster at Millstadt, Ill., in place of A. J. Mollman. Incumbent's commission expired March 3, 1930.

INDIANA

Ernest C. Purdue to be postmaster at Newburgh, Ind., in place of E. C. Purdue. Incumbent's commission expired February 23, 1930.

Levert E. Binns to be postmaster at New Richmond, Ind., in place of L. E. Binns. Incumbent's commission expired March 6, 1930.

Cyrus V. Norman to be postmaster at Sheridan, Ind., in place of C. V. Norman. Incumbent's commission expired December 15, 1929.

William H. Ammon to be postmaster at Swayzee, Ind., in place of W. H. Ammon. Incumbent's commission expired March 6, 1930.

Bernice M. Beeks to be postmaster at Urbana, Ind., in place of B. M. Beeks. Incumbent's commission expired January 6, 1930.

IOWA

Elda B. Sparks to be postmaster at Buffalo Center, Iowa, in place of E. B. Sparks. Incumbent's commission expired March 5, 1930.

Vellas L. Gilje to be postmaster at Elkader, Iowa, in place of V. L. Gilje. Incumbent's commission expired March 5, 1930.

Raymond W. Rhoades to be postmaster at Glenwood, Iowa, in place of R. W. Rhoades. Incumbent's commission expires March 8, 1930.

Eva Keith to be postmaster at Goldfield, Iowa, in place of Eva Keith. Incumbent's commission expires March 8, 1930.

Leonidas L. Greenwalt to be postmaster at Hastings, Iowa, in place of L. L. Greenwalt. Incumbent's commission expired March 5, 1930.

Inga E. Cheely to be postmaster at Hornick, Iowa, in place of I. E. Cheely. Incumbent's commission expires March 8, 1930.

John R. Barker, to be postmaster at Indianola, Iowa, in place of J. R. Barker. Incumbent's commission expired March 6, 1930.

George McNeish, jr., to be postmaster at Kanawha, Iowa, in place of George McNeish, jr. Incumbent's commission expired March 5, 1930.

John Harden to be postmaster at Linden, Iowa, in place of John Harden. Incumbent's commission expired March 5, 1930.

William C. McCurdy to be postmaster at Massena, Iowa, in place of W. C. McCurdy. Incumbent's commission expires March 8, 1930.

Eugene E. Heldridge to be postmaster at Milford, Iowa, in place of E. E. Heldridge. Incumbent's commission expires March 8, 1930.

Thomas F. Fawcett to be postmaster at Ocheyedan, Iowa, in place of T. F. Fawcett. Incumbent's commission expires March 11, 1930.

Bruce E. Harlow to be postmaster at Onawa, Iowa, in place of B. E. Harlow. Incumbent's commission expired March 5, 1930.

Otto J. Warneke to be postmaster at Readlyn, Iowa, in place of O. J. Warneke. Incumbent's commission expires March 8, 1930.

Edith J. Delong to be postmaster at Truro, Iowa, in place of E. J. Delong. Incumbent's commission expired March 5, 1930.

Ross G. Hauser to be postmaster at Union, Iowa, in place of R. G. Hauser. Incumbent's commission expires March 8, 1930.

Leonard G. Kelley to be postmaster at Wall Lake, Iowa, in place of L. G. Kelley. Incumbent's commission expired March 5, 1930.

Inez I. Gano to be postmaster at Washta, Iowa, in place of D. C. Gearhart, resigned.

Henry C. Ficke to be postmaster at Wheatland, Iowa, in place of H. C. Ficke. Incumbent's commission expired March 5, 1930.

KANSAS

Mabel I. Driggs to be postmaster at Bern, Kans., in place of M. I. Driggs. Incumbent's commission expires March 10, 1930.

Vaclav Sajner to be postmaster at Bison, Kans., in place of Vaclav Sajner. Incumbent's commission expired March 2, 1930.

Charles A. Godding to be postmaster at Burns, Kans., in place of C. A. Godding. Incumbent's commission expired February 6, 1930.

Jacob W. Wright to be postmaster at Elk City, Kans., in place of J. W. Wright. Incumbent's commission expired December 14, 1929.

Daniel O. Anderson to be postmaster at Everest, Kans., in place of G. D. Bollinger. Incumbent's commission expired December 14, 1929.

Marion W. Covey to be postmaster at Miltonvale, Kans., in place of M. W. Covey. Incumbent's commission expires March 10, 1930.

Lloyd J. Cobun to be postmaster at Sabetha, Kans., in place of Nannie Bingham. Incumbent's commission expired December 14, 1929.

George P. Plotner to be postmaster at Scandia, Kans., in place of G. P. Plotner. Incumbent's commission expired January 18, 1930.

Bruce Griffith to be postmaster at Wichita, Kans., in place of S. M. Young. Incumbent's commission expired December 14, 1929.

KENTUCKY

Anna M. Seaton to be postmaster at Buechel, Ky., in place of A. M. Seaton. Incumbent's commission expired December 15, 1929.

Mary K. Diersing to be postmaster at Shively, Ky., in place of M. K. Diersing. Incumbent's commission expired December 15, 1929.

MAINE

Harold L. Haskell to be postmaster at Lee, Me., in place of H. L. Haskell. Incumbent's commission expired March 2, 1930.

Winnifred J. Libby to be postmaster at Ocean Park, Me., in place of W. J. Libby. Incumbent's commission expires March 11, 1930.

Charles A. Robinson to be postmaster at Portland, Me., in place of C. A. Robinson. Incumbent's commission expired March 2, 1930.

MARYLAND

Charles G. Tedrick to be postmaster at Clear Spring, Md., in place of C. G. Tedrick. Incumbent's commission expired March 2, 1930.

Joseph S. Haas to be postmaster at Mount Rainier, Md., in place of J. S. Haas. Incumbent's commission expired January 8, 1930.

Granville S. Cropper to be postmaster at Ocean City, Md., in place of G. S. Cropper. Incumbent's commission expired February 4, 1930.

MASSACHUSETTS

George L. Minott to be postmaster at Gardner, Mass., in place of G. L. Minott. Incumbent's commission expires March 11, 1930.

Harlin S. Cummings to be postmaster at Lynn, Mass., in place of H. S. Cummings. Incumbent's commission expired March 2, 1930.

Hazen M. Emery to be postmaster at Merrimac, Mass., in place of H. M. Emery. Incumbent's commission expired March 2, 1930.

Neil R. Mahoney to be postmaster at North Billerica, Mass., in place of N. R. Mahoney. Incumbent's commission expired March 2, 1930.

Annie B. Ellis to be postmaster at Sheffield, Mass., in place of A. B. Ellis. Incumbent's commission expired March 2, 1930.

Arthur J. Fairgrieve to be postmaster at Tewksbury, Mass., in place of A. J. Fairgrieve. Incumbent's commission expired March 2, 1930.

John W. Keith to be postmaster at Warren, Mass., in place of J. W. Keith. Incumbent's commission expired March 2, 1930.

MICHIGAN

Isaac Hurst to be postmaster at Akron, Mich., in place of Isaac Hurst. Incumbent's commission expires March 10, 1930.

Edwin L. Fox to be postmaster at Athens, Mich., in place of E. L. Fox. Incumbent's commission expires March 10, 1930.

Percy W. Totten to be postmaster at Brooklyn, Mich., in place of P. W. Totten. Incumbent's commission expires March 10, 1930.

Olin M. Thrasher to be postmaster at Mount Morris, Mich., in place of O. M. Thrasher. Incumbent's commission expires March 10, 1930.

Lydia A. McElhinney to be postmaster at Snover, Mich., in place of L. A. McElhinney. Incumbent's commission expired March 3, 1930.

Willard L. Claver to be postmaster at Zeeland, Mich., in place of W. L. Claver. Incumbent's commission expired March 3, 1930.

MINNESOTA

George T. Sands to be postmaster at Alvarado, Minn., in place of G. T. Sands. Incumbent's position expires March 11, 1930.

Charles W. Strebel to be postmaster at Arlington, Minn., in place of C. W. Strebel. Incumbent's commission expires March 11, 1930.

Edward L. Barstow to be postmaster at Barnum, Minn., in place of E. L. Barstow. Incumbent's commission expires March 11, 1930.

Margaret O'Brien to be postmaster at Eden Valley, Minn., in place of William O'Brien, deceased.

Harlan J. Miner to be postmaster at International Falls, Minn., in place of H. J. Miner. Incumbent's commission expires March 11, 1930.

Lynn J. Dewey to be postmaster at Jeffers, Minn., in place of L. J. Dewey. Incumbent's commission expires March 11, 1930.

Fred G. Brower to be postmaster at Kimball, Minn., in place of F. G. Brower. Incumbent's commission expires March 11, 1930.

Edward M. La Fond to be postmaster at Little Falls, Minn., in place of E. M. La Fond. Incumbent's commission expires March 11, 1930.

Ralph V. Townsend to be postmaster at Minnesota Lake, Minn., in place of R. V. Townsend. Incumbent's commission expires March 11, 1930.

Walter W. Pearson to be postmaster at Nevis, Minn., in place of W. W. Pearson. Incumbent's commission expires March 11, 1930.

William J. Kritta to be postmaster at New Prague, Minn., in place of W. J. Kritta. Incumbent's commission expired January 21, 1930.

George W. Shipton to be postmaster at Ogilvie, Minn., in place of G. W. Shipton. Incumbent's commission expired December 18, 1929.

Anna Barnes to be postmaster at Randall, Minn., in place of Anna Barnes. Incumbent's commission expired December 18, 1929.

James N. Kain to be postmaster at Round Lake, Minn., in place of J. N. Kain. Incumbent's commission expires March 11, 1930.

William H. Wilson to be postmaster at Rushmore, Minn., in place of W. H. Wilson. Incumbent's commission expires March 11, 1930.

John C. Klein to be postmaster at St. Joseph, Minn., in place of J. C. Klein. Incumbent's commission expires March 11, 1930.

Lewis A. Bradford to be postmaster at Verndale, Minn., in place of L. A. Bradford. Incumbent's commission expires March 11, 1930.

MISSISSIPPI

Henry L. Rhodes to be postmaster at Ackerman, Miss., in place of H. L. Rhodes. Incumbent's commission expired February 27, 1930.

Frankie M. Storm to be postmaster at Benoit, Miss., in place of F. M. Storm. Incumbent's commission expired March 2, 1930.

Thomas A. Chapman to be postmaster at Friar Point, Miss., in place of T. A. Chapman. Incumbent's commission expired February 15, 1930.

John C. Bowen to be postmaster at Senatobia, Miss., in place of J. C. Bowen. Incumbent's commission expired December 15, 1929.

MISSOURI

John Rohrer to be postmaster at Bourbon, Mo., in place of John Rohrer. Incumbent's commission expired March 6, 1930.

William C. Christeson to be postmaster at Dixon, Mo., in place of W. C. Christeson. Incumbent's commission expired March 6, 1930.

Leland G. Riley to be postmaster at Eagleville, Mo., in place of L. G. Riley. Incumbent's commission expires March 11, 1930.

Herold D. Condray to be postmaster at Ellsinore, Mo., in place of H. D. Condray. Incumbent's commission expires March 11, 1930.

Charles F. Boon to be postmaster at Greentop, Mo., in place of C. F. Boon. Incumbent's commission expired December 18, 1929.

Clyde E. Jennings to be postmaster at Hollister, Mo., in place of C. E. Jennings. Incumbent's commission expires March 11, 1930.

Morris W. Ledbetter to be postmaster at Marble Hill, Mo., in place of M. W. Ledbetter. Incumbent's commission expired March 6, 1930.

Guy Ridings to be postmaster at Middletown, Mo., in place of Guy Ridings. Incumbent's commission expires March 11, 1930.

Gustav C. Rau to be postmaster at Pacific, Mo., in place of G. C. Rau. Incumbent's commission expires March 11, 1930.

Clarence B. Robinson to be postmaster at South West City, Mo., in place of C. B. Robinson. Incumbent's commission expired March 6, 1930.

John J. Schaper to be postmaster at Warrenton, Mo., in place of J. J. Schaper. Incumbent's commission expires March 11, 1930.

Oscar F. Schulte to be postmaster at Washington, Mo., in place of O. F. Schulte. Incumbent's commission expires March 11, 1930.

MONTANA

Leaore K. C. Roderick to be postmaster at Outlook, Mont., in place of L. K. C. Roderick. Incumbent's commission expired February 27, 1930.

NEBRASKA

J. Dean Ringer to be postmaster at Omaha, Nebr., in place of J. D. Ringer. Incumbent's commission expired February 23, 1930.

Alice Ward to be postmaster at Primrose, Nebr., in place of Alice Ward. Incumbent's commission expired March 2, 1930.

Frank A. Millhouse to be postmaster at Sumner, Nebr., in place of F. A. Millhouse. Incumbent's commission expires March 10, 1930.

Elsie B. Thompson to be postmaster at Wynot, Nebr., in place of E. B. Thompson. Incumbent's commission expired February 23, 1930.

NEW JERSEY

Ralph G. Collins to be postmaster at Barnegat, N. J., in place of R. G. Collins. Incumbent's commission expired March 2, 1930.

Victor R. Bell to be postmaster at Closter, N. J., in place of J. H. Lindemann. Incumbent's commission expired June 5, 1924.

John D. Seals to be postmaster at Kenil, N. J., in place of J. D. Seals. Incumbent's commission expired March 3, 1930.

Loretta Conrow to be postmaster at Oceanport, N. J., in place of Loretta Conrow. Incumbent's commission expired February 26, 1930.

NEW MEXICO

Gertrude Warrender to be postmaster at Logan, N. Mex., in place of Gertrude Warrender. Incumbent's commission expired March 2, 1930.

NEW YORK

John Common to be postmaster at Andover, N. Y., in place of John Common. Incumbent's commission expired February 27, 1930.

William W. Hendryx to be postmaster at Avoca, N. Y., in place of W. W. Hendryx. Incumbent's commission expired January 29, 1930.

Mary H. Dunn to be postmaster at Bellmore, N. Y., in place of M. H. Dunn. Incumbent's commission expired February 27, 1930.

Otis G. Fuller to be postmaster at Central Square, N. Y., in place of O. G. Fuller. Incumbent's commission expires March 11, 1930.

Norman S. Taylor to be postmaster at Clayville, N. Y., in place of N. S. Taylor. Incumbent's commission expires March 11, 1930.

Lena M. Johnson to be postmaster at Interlaken, N. Y., in place of L. M. Johnson. Incumbent's commission expires March 11, 1930.

McKenzie B. Stewart to be postmaster at Mooers, N. Y., in place of M. B. Stewart. Incumbent's commission expired February 18, 1930.

David C. Gilmour to be postmaster at Morristown, N. Y., in place of D. C. Gilmour. Incumbent's commission expires March 11, 1930.

Jay B. Purcell to be postmaster at Ovid, N. Y., in place of J. B. Purcell. Incumbent's commission expired March 2, 1930.

John E. Widger to be postmaster at Smyrna, N. Y., in place of J. E. Widger. Incumbent's commission expired January 29, 1930.

Daniel H. DeLair to be postmaster at Tupper Lake, N. Y., in place of D. H. DeLair. Incumbent's commission expired March 2, 1930.

NORTH CAROLINA

Judson D. Albright to be postmaster at Charlotte, N. C., in place of J. D. Albright. Incumbent's commission expires March 16, 1930.

Walter F. Justus to be postmaster at Flat Rock, N. C., in place of W. F. Justus. Incumbent's commission expires March 11, 1930.

Heber R. Munford to be postmaster at Greenville, N. C., in place of H. R. Munford. Incumbent's commission expired January 26, 1930.

Jenks Terry to be postmaster at Hamlet, N. C., in place of Jenks Terry. Incumbent's commission expires March 11, 1930.

John C. Smith to be postmaster at Lenoir, N. C., in place of J. C. Smith. Incumbent's commission expires March 11, 1930.

Thomas H. Peele to be postmaster at Rich Square, N. C., in place of T. H. Peele. Incumbent's commission expires March 11, 1930.

NORTH DAKOTA

Katherine Medelman to be postmaster at Crary, N. Dak., in place of Katherine Medelman. Incumbent's commission expired March 2, 1930.

Eldor G. Sagehorn to be postmaster at Stanton, N. Dak., in place of E. G. Sagehorn. Incumbent's commission expired February 15, 1930.

OHIO

Laurence H. Maechtel to be postmaster at Berea, Ohio, in place of E. E. Pillars. Incumbent's commission expired December 17, 1929.

Charles H. Murlin to be postmaster at Celina, Ohio, in place of C. H. Murlin. Incumbent's commission expired March 2, 1930.

Emanuel H. Ulmer to be postmaster at Chatfield, Ohio, in place of J. G. Tuttle. Incumbent's commission expired December 20, 1928.

Laura L. Nash to be postmaster at East Canton, Ohio, in place of E. F. Liebttag. Incumbent's commission expired January 31, 1929.

Charles E. John to be postmaster at Elida, Ohio, in place of C. E. John. Incumbent's commission expires March 10, 1930.

Rosa M. Fouts to be postmaster at McConnellsville, Ohio, in place of R. M. Fouts. Incumbent's commission expires March 30, 1930.

Harry F. Mikesell to be postmaster at New Madison, Ohio, in place of H. F. Mikesell. Incumbent's commission expires March 10, 1930.

Robert D. Weedy to be postmaster at Shawnee, Ohio, in place of R. D. Weedy. Incumbent's commission expired March 2, 1930.

OKLAHOMA

Eugene J. Blossom to be postmaster at Atoka, Okla., in place of E. J. Blossom. Incumbent's commission expires March 10, 1930.

Thomas H. W. McDowell to be postmaster at Blackwell, Okla., in place of T. H. W. McDowell. Incumbent's commission expires March 11, 1930.

George N. Davina to be postmaster at Colony, Okla., in place of G. N. Davina. Incumbent's commission expires March 10, 1930.

William I. Fisher to be postmaster at Cordell, Okla., in place of W. I. Fisher. Incumbent's commission expires March 10, 1930.

Dallas M. Rose to be postmaster at Davis, Okla., in place of D. M. Rose. Incumbent's commission expires March 11, 1930.

Coral B. Waldie to be postmaster at Deer Creek, Okla., in place of C. B. Waldie. Incumbent's commission expires March 11, 1930.

William J. Krebs to be postmaster at Kaw, Okla., in place of W. J. Krebs. Incumbent's commission expires March 11, 1930.

Charles L. Bell to be postmaster at Lindsay, Okla., in place of C. L. Bell. Incumbent's commission expires March 10, 1930.

Bernie A. Cockrell to be postmaster at Tonkawa, Okla., in place of B. A. Cockrell. Incumbent's commission expires March 10, 1930.

Joseph Hunt, jr., to be postmaster at Vinita, Okla., in place of Joseph Hunt, jr. Incumbent's commission expired December 21, 1929.

Etta B. Henderson to be postmaster at Wayne, Okla., in place of E. B. Henderson. Incumbent's commission expires March 11, 1930.

Logan G. Hysmith to be postmaster at Wilburton, Okla., in place of L. G. Hysmith. Incumbent's commission expires March 10, 1930.

OREGON

Charles W. Halderman to be postmaster at Astoria, Oreg., in place of C. W. Halderman. Incumbent's commission expired March 6, 1930.

Harry E. Jones to be postmaster at Jefferson, Oreg., in place of H. E. Jones. Incumbent's commission expired March 6, 1930.

Henry W. Tohl to be postmaster at Nehalem, Oreg., in place of H. W. Tohl. Incumbent's commission expires March 15, 1930.

Leon W. Lundell to be postmaster at Weston, Oreg., in place of L. W. Lundell. Incumbent's commission expired February 27, 1930.

Ollie L. Gillespie to be postmaster at Willamina, Oreg., in place of O. L. Gillespie. Incumbent's commission expired March 6, 1930.

Lyman H. Shorey to be postmaster at Woodburn, Oreg., in place of L. H. Shorey. Incumbent's commission expired March 6, 1930.

PENNSYLVANIA

Jay E. Brumbaugh to be postmaster at Altoona, Pa., in place of J. E. Brumbaugh. Incumbent's commission expired March 1, 1930.

Samuel M. Lambie to be postmaster at Ambridge, Pa., in place of S. M. Lambie. Incumbent's commission expired March 1, 1930.

Lena M. Cole to be postmaster at Coal Center, Pa., in place of L. M. Cole. Incumbent's commission expired February 18, 1930.

Lawrence L. Steiger to be postmaster at Mercersburg, Pa., in place of L. L. Steiger. Incumbent's commission expires March 11, 1930.

William H. Yoder to be postmaster at New Kensington, Pa., in place of W. H. Yoder. Incumbent's commission expired February 26, 1930.

Edwin S. L. Soule to be postmaster at Newport, Pa., in place of F. M. DeLancey, deceased.

James Hewett to be postmaster at Pen Argyl, Pa., in place of James Hewett. Incumbent's commission expired March 6, 1930.

Margaret B. Hill to be postmaster at Saltsburg, Pa., in place of M. B. Hill. Incumbent's commission expired March 1, 1930.

Helen P. Howell to be postmaster at West Alexander, Pa., in place of H. P. Howell. Incumbent's commission expired February 23, 1930.

SOUTH CAROLINA

John A. Wood to be postmaster at Spartanburg, S. C., in place of H. T. E. Neuburger, resigned.

TENNESSEE

Roberta J. Tatum to be postmaster at Alamo, Tenn., in place of R. J. Tatum. Incumbent's commission expires March 15, 1930.

Laura W. Malone to be postmaster at Alexandria, Tenn., in place of L. W. Malone. Incumbent's commission expires March 15, 1930.

William D. Howser to be postmaster at Clarksville, Tenn., in place of W. D. Howser. Incumbent's commission expires March 15, 1930.

Joe R. Taylor to be postmaster at Etowah, Tenn., in place of J. R. Taylor. Incumbent's commission expires March 15, 1930.

Charles F. Perkins to be postmaster at Jacksboro, Tenn., in place of C. F. Perkins. Incumbent's commission expired March 1, 1930.

Charles E. Pennington to be postmaster at Sweetwater, Tenn., in place of C. E. Pennington. Incumbent's commission expired February 26, 1930.

TEXAS

Dibrel G. Melton to be postmaster at Allen, Tex., in place of D. G. Melton. Incumbent's commission expires March 15, 1930.

Fred P. Ingerson to be postmaster at Barstow, Tex., in place of F. P. Ingerson. Incumbent's commission expires March 15, 1930.

Oscar Hunt to be postmaster at Canyon, Tex., in place of Oscar Hunt. Incumbent's commission expires March 15, 1930.

Joseph C. Eakin to be postmaster at Chilton, Tex., in place of J. C. Eakin. Incumbent's commission expires March 11, 1930.

Robert Dempster to be postmaster at Hitchcock, Tex., in place of Robert Dempster. Incumbent's commission expires March 11, 1930.

Oria H. Sieber to be postmaster at Crosbyton, Tex., in place of O. H. Sieber. Incumbent's commission expires March 15, 1930.

Elroy L. McCord to be postmaster at Katy, Tex., in place of E. L. McCord. Incumbent's commission expires March 15, 1930.

Herman H. Duncan to be postmaster at Kaufman, Tex., in place of H. H. Duncan. Incumbent's commission expires March 15, 1930.

Maggie R. Hopkins to be postmaster at Lone Oak, Tex., in place of M. R. Hopkins. Incumbent's commission expires March 15, 1930.

John H. Sharbutt to be postmaster at Lueders, Tex., in place of J. H. Sharbutt. Incumbent's commission expires March 10, 1930.

Asa McGregor to be postmaster at Milano, Tex., in place of Asa McGregor. Incumbent's commission expired January 8, 1930.

Walter M. Hudson to be postmaster at Weatherford, Tex., in place of W. M. Hudson. Incumbent's commission expires March 15, 1930.

Emanuel T. Teller to be postmaster at Westhoff, Tex., in place of E. T. Teller. Incumbent's commission expires March 15, 1930.

Tom Hargrove to be postmaster at Woodsboro, Tex., in place of Tom Hargrove. Incumbent's commission expires March 15, 1930.

William B. Lee to be postmaster at Wortham, Tex., in place of W. B. Lee. Incumbent's commission expires March 15, 1930.

Lillian Proctor to be postmaster at Teague, Tex., in place of J. W. Davis. Incumbent's commission expired December 17, 1929.

UTAH

John W. Guild to be postmaster at Kamas, Utah, in place of J. W. Guild. Incumbent's commission expired December 17, 1929.

VERMONT

Milton B. Hoag to be postmaster at Grand Isle, Vt., in place of M. B. Hoag. Incumbent's commission expires March 11, 1930.

Otto R. Bennett to be postmaster at Manchester, Vt., in place of O. R. Bennett. Incumbent's commission expires March 11, 1930.

Arthur G. Hinman to be postmaster at Middlebury, Vt., in place of A. G. Hinman. Incumbent's commission expires March 11, 1930.

VIRGINIA

Harry Fulwiler to be postmaster at Buchanan, Va., in place of Harry Fulwiler. Incumbent's commission expires March 15, 1930.

Robert B. Rouzie to be postmaster at Tappahannock, Va., in place of R. B. Rouzie. Incumbent's commission expires March 15, 1930.

Bruce L. Showalter to be postmaster at Weyers Cave, Va., in place of B. L. Showalter. Commission expires March 15, 1930.

WASHINGTON

Willis Swank to be postmaster at Cheney, Wash., in place of Willis Swank. Incumbent's commission expired March 2, 1930.

Franz S. Drummond to be postmaster at Gig Harbor, Wash., in place of F. S. Drummond. Incumbent's commission expired March 2, 1930.

Ralph L. Philbrick to be postmaster at Hoquiam, Wash., in place of R. L. Philbrick. Incumbent's commission expired March 2, 1930.

Christopher C. Van Leuven to be postmaster at Molson, Wash., in place of C. C. Van Leuven. Incumbent's commission expired March 2, 1930.

Noel D. Tower to be postmaster at Morton, Wash., in place of N. D. Tower. Incumbent's commission expired March 2, 1930.

Michael J. Murphy to be postmaster at Oakville, Wash., in place of M. J. Murphy. Incumbent's commission expired March 2, 1930.

Joseph E. McManamon to be postmaster at Othello, Wash., in place of J. E. McManamon. Incumbent's commission expired January 13, 1930.

Walter C. Sommers to be postmaster at Prosser, Wash., in place of W. C. Sommers. Incumbent's commission expired March 2, 1930.

William Busch to be postmaster at Raymond, Wash., in place of William Busch. Incumbent's commission expired March 2, 1930.

Thomas Harries to be postmaster at Renton, Wash., in place of Thomas Harries. Incumbent's commission expired March 2, 1930.

Golda R. Moore to be postmaster at Roy, Wash., in place of G. R. Moore. Incumbent's commission expired March 2, 1930.

Juanita Morris to be postmaster at St. John, Wash., in place of Juanita Morris. Incumbent's commission expired March 2, 1930.

David M. Donnelly to be postmaster at Sedro Woolley, Wash., in place of D. M. Donnelly. Incumbent's commission expired March 2, 1930.

William I. Leech to be postmaster at Stellacoom, Wash., in place of W. I. Leech. Incumbent's commission expired March 2, 1930.

Wilson Howe to be postmaster at Tenino, Wash., in place of Wilson Howe. Incumbent's commission expired March 2, 1930.

WEST VIRGINIA

Rosa H. Brown to be postmaster at Institute, W. Va., in place of R. H. Brown. Incumbent's commission expired March 2, 1930.

Charles T. Kelly to be postmaster at Terra Alta, W. Va., in place of C. T. Kelly. Incumbent's commission expired March 2, 1930.

WISCONSIN

Edward W. Guth to be postmaster at Adell, Wis., in place of E. W. Guth. Incumbent's commission expires March 11, 1930.

Lester B. West to be postmaster at Barron, Wis., in place of L. B. West. Incumbent's commission expires March 10, 1930.

Royal C. Taylor to be postmaster at Boyceville, Wis., in place of R. C. Taylor. Incumbent's commission expires March 11, 1930.

Dell L. Amerpohl to be postmaster at Brodhead, Wis., in place of D. L. Amerpohl. Incumbent's commission expires March 11, 1930.

Benjamin F. Querhammer to be postmaster at Cazenovia, Wis., in place of B. F. Querhammer. Incumbent's commission expires March 11, 1930.

Lewis T. Larson to be postmaster at Danbury, Wis., in place of L. T. Larson. Incumbent's commission expires March 11, 1930.

Clarence L. Jordalen to be postmaster at Deerfield, Wis., in place of C. L. Jordalen. Incumbent's commission expires March 11, 1930.

Charles H. Prouty to be postmaster at Genoa City, Wis., in place of C. H. Prouty. Incumbent's commission expires March 11, 1930.

Alexander C. Magnus to be postmaster at Glen Flora, Wis., in place of A. C. Magnus. Incumbent's commission expires March 10, 1930.

Charles P. Peterson to be postmaster at Glenwood City, Wis., in place of C. P. Peterson. Incumbent's commission expires March 11, 1930.

Kate C. Conrad to be postmaster at Hammond, Wis., in place of K. C. Conrad. Incumbent's commission expires March 11, 1930.

Clem G. Walter to be postmaster at Kendall, Wis., in place of C. G. Walter. Incumbent's commission expired February 17, 1929.

Mamie B. Johnson to be postmaster at Kennan, Wis., in place of M. B. Johnson. Incumbent's commission expires March 10, 1930.

John P. Fitzgerald to be postmaster at Mellen, Wis., in place of J. P. Fitzgerald. Incumbent's commission expires March 11, 1930.

Amund J. Amundson to be postmaster at New Auburn, Wis., in place of A. J. Amundson. Incumbent's commission expires March 10, 1930.

Verner A. Nelson to be postmaster at Ogema, Wis., in place of V. A. Nelson. Incumbent's commission expires March 10, 1930.

David E. Lamon to be postmaster at Three Lakes, Wis., in place of D. E. Lamon. Incumbent's commission expires March 10, 1930.

Christian R. Mau to be postmaster at West Salem, Wis., in place of C. R. Mau. Incumbent's commission expires March 11, 1930.

WITHDRAWAL

Executive nomination withdrawn from the Senate March 7 (legislative day of January 6), 1930

Emeroy G. Page to be postmaster at Hyde Park in the State of Vermont.

HOUSE OF REPRESENTATIVES

FRIDAY, March 7, 1930

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

As we are made in Thy image, Almighty God, O may we not look down, but up! In hope we live and by hope we are saved. The things that are seen are not enough for the soul touched with the divine nature. Do thou bring the presence of Thy Son, our Saviour, and His glorified cross to the spiritual apprehension of every Member and officer of this Congress. In Him may we realize that there is a place for every experience and a kingdom that flames beyond the bounds of sense. Be pleased to guide and bless our President and his hearthstone. Be with the entire body of our citizenship. Increase its faith in orderly government, faith in truth, faith in honor, and faith in its chosen servants. Continue to inspire us with high aims and with the thought of a better and a purer manhood. Vouchsafe to sanctify all human affections by all the nobility of the immortal soul. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed the following resolutions:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. JAMES P. GLYNN, late a Representative from the State of Connecticut.

Resolved, That a committee of six Senators be appointed by the Vice President to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased Representative the Senate do now take a recess until 11 o'clock a. m. to-morrow.

The message also announced that pursuant to the foregoing resolutions the Vice President had appointed Mr. BINGHAM, Mr. WALCOTT, Mr. ASHURST, Mr. DALE, Mr. GLASS, and Mr. HAWES,

members of the committee on the part of the Senate to attend the funeral of the deceased Representative.

ABSENCE OF A MEMBER

Mr. KELLY. Mr. Speaker, at the request of my colleague from Pennsylvania, Mr. WYANT, I announce his absence for a few days while he attends hearings before the United States engineers at Pittsburgh.

LEAVE TO ADDRESS THE HOUSE

Mr. LAGUARDIA. Mr. Speaker, under unanimous consent I have 15 minutes to-day in which to address the House. I understand there is quite a long program on the calendar to-day, and I ask unanimous consent that I may shift that time to Tuesday next.

The SPEAKER. The gentleman from New York asks unanimous consent that the 15 minutes allotted to him to-day be transferred to Tuesday next. Is there objection?

There was no objection.

MOUNT VERNON MEMORIAL HIGHWAY

Mr. TILSON. Mr. Speaker, I ask unanimous consent to take up and consider at this time the bill (H. R. 8810) to amend the act entitled "An act to authorize and direct the survey, construction, and maintenance of a memorial highway to connect Mount Vernon, in the State of Virginia, with the Arlington Memorial Bridge across the Potomac River at Washington" by adding thereto two new sections, to be numbered sections 8 and 9.

This bill was introduced by the gentleman from Virginia [Mr. MOORE], and it is to amend the act providing for the Mount Vernon Highway. The proposed amendment, which is an emergency, is to remove the two south pillars of the Highway Bridge and fill in, carrying the road under the Highway Bridge. The contracts for the work are being held up because of the necessity for this legislation.

Mr. GARNER. Has any committee considered this bill?

Mr. TILSON. Oh, yes; the Roads Committee has reported it out unanimously, as I understand, and it is now on the Consent Calendar, but was not reached at the last call. Meanwhile, I am informed from the office of Director McDonald, of the Public Highways Commission, that the contracts are being held up, and that it is a case of real emergency where the Government stands to lose money unless this work can go on.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, when I considered this bill and the report last week, in looking over bills on the Consent Calendar, I was impressed with the fact that this work of construction which is provided in this bill is to be undertaken by the Department of Agriculture and not by the War Department. The Agricultural Department is not equipped or qualified to undertake such a construction. Such work is usually undertaken by the War Department. Unfortunately, I have not my marked bill and the report here with me at this time. I am sympathetic to the measure, but I think I had some amendments prepared which I would want to offer along that line. I submit to the gentleman from Connecticut whether he does not think this work of construction should be undertaken by the War Department, rather than by the Department of Agriculture.

Mr. TILSON. The gentleman from Wisconsin is entirely too late. The matter has already been enacted into law, and the Bureau of Public Roads has gone ahead with it.

Mr. STAFFORD. I am seeking information. I was not aware of that fact. When I read the bill it struck me that the work should be undertaken by the War Department. If the gentleman has any information to remove that difficulty in my mind, I shall, of course, recede.

Mr. GARNER. When this matter was arranged for the construction of this boulevard, it was decided to put the thing under the Director of Roads in the Agricultural Department. That is my understanding.

Mr. TILSON. That is correct.

Mr. STAFFORD. Of course, if this work has already been begun by the Department of Agriculture, my objection would have little merit. When I read the bill and report I found nothing in the report to indicate that the work was being undertaken at any time by that department, and it struck me that it was work that should be done by the War Department. Under the facts of the situation, however, I shall not interpose such an amendment.

Mr. WOODRUM. Mr. Speaker, will the gentleman yield?

Mr. TILSON. Yes.

Mr. WOODRUM. I observe that my colleague Mr. MOORE is not in the room at the present time.

Mr. TILSON. I talked with the gentleman from Virginia about the matter this morning, and he said that he would be

very glad to see the bill passed. Mr. Speaker, I shall ask to substitute an identical bill which has been passed by the Senate. The bill is identical word for word, letter for letter, with the House bill.

The SPEAKER. The gentleman from Connecticut asks unanimous consent for the present consideration of the Senate bill. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

S. 3168

To amend the act entitled "An act to authorize and direct the survey, construction, and maintenance of a memorial highway to connect Mount Vernon, in the State of Virginia, with the Arlington Memorial Bridge across the Potomac River at Washington," by adding thereto two new sections, to be numbered sections 8 and 9

Be it enacted, etc., That the act entitled "An act to authorize and direct the survey, construction, and maintenance of a memorial highway to connect Mount Vernon, in the State of Virginia, with the Arlington Memorial Bridge across the Potomac River at Washington," approved May 23, 1928 (45 Stat. L. 721, 722), be, and the same hereby is, amended by adding thereto two new sections, to be numbered sections 8 and 9 and to read, respectively, as follows:

"Sec. 8. In order to provide adequate traffic connection for said highway with the existing Highway Bridge across the Potomac River at the foot of Fourteenth Street, the Secretary of Agriculture is hereby authorized to convert the second pier from the south end of said bridge into an abutment, to remove the two south spans of said bridge, and replace same with a roadway on filled ground on the location now occupied by the said spans, including the construction thereon of a suitable pavement and the rebuilding of the street-railway tracks, and to do all other work deemed necessary in connection therewith. The plans and specifications for changing the second pier from the south end of said Highway Bridge into an abutment, for removal of the two south spans and replacement thereof with a roadway with suitable pavement, and the rebuilding of the street-railway tracks, and for handling traffic over said existing bridge during the construction operations incident to such changes, shall be subject to approval by the Commissioners of the District of Columbia. The two south spans of said bridge, after being dismantled pursuant hereto, shall be the property of the District of Columbia, and shall be delivered by the Secretary of Agriculture to such place in the District of Columbia as the commissioners of said District may request. After completion, the abutment into which the second pier from the south end of the existing Highway Bridge is to be converted, and also the roadway which is to replace the two south spans of said bridge, shall be maintained and controlled by the Commissioners of the District of Columbia. All other structures and the roadway connections with said bridge shall be maintained and controlled by the Secretary of Agriculture as a part of the memorial highway provided for by this act. No part of the construction costs incurred by the Secretary of Agriculture in carrying out the provisions of this section shall be charged against, or be paid by, the District of Columbia or the street-railway company operating cars on said bridge.

Sec. 9. The Secretary of Agriculture, with the approval of the commissioners, is hereby authorized to negotiate and enter into an agreement with any individual, firm, or corporation acceptable to him for the erection of a suitable concession or refreshment building on the land acquired, or to be acquired, by the Secretary at the entrance to the Mount Vernon estate, such building to include comfort stations and rest rooms, with adequate space for a restaurant and for refreshment and souvenir stands. Said agreement shall provide for the erection of such building by the individual, firm, or corporation party thereto, without cost to the United States, in accordance with plans and specifications to be approved by the Secretary of Agriculture and by the commission, all work thereon to be subject to inspection and approval by the Secretary both during construction and upon completion. Such agreement shall also contain provision expressly reserving title to such building in the United States but granting to such individual, firm, or corporation, upon such terms and conditions as may be prescribed by the Secretary of Agriculture, the right and privilege of conducting therein a restaurant with souvenir and refreshment stands for such period not exceeding 10 years from the date of completion of the building and its final approval by the Secretary of Agriculture as he may determine. The individual, firm, or corporation entering into such an agreement shall complete the building to be erected in accordance herewith not later than January 1, 1932. At the expiration of the lease or privilege period such building shall become the property of the United States, free of all encumbrances and claims of any kind whatsoever, and thereafter the Secretary of Agriculture may enter into new agreements from time to time for the operation of said concession building on a rental basis. If the Secretary of Agriculture should be

unable to negotiate and enter into an agreement satisfactory to him for the erection and operation of such concession building pursuant to the above, he then may construct a suitable concession building from funds appropriated for the purposes of this act and enter into an agreement with any individual, firm, or corporation acceptable to him for its operation on a rental basis.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, since the bill has been read—

The SPEAKER. Consent for its consideration has been given. The bill is before the House.

Mr. STAFFORD. I thought the gentleman from Connecticut had asked unanimous consent to substitute a Senate bill and that that request had not been presented or granted.

The SPEAKER. The Chair put the request for unanimous consent for the present consideration of the Senate bill and it was granted.

Mr. TILSON. Mr. Speaker, I yield five minutes to the gentleman from Wisconsin [Mr. STAFFORD].

Mr. STAFFORD. I think, Members of the House, that it is a serious mistake to authorize a concessionaire to erect a private building on the Mount Vernon estate, which has been referred to. I have no objection to the first provision of the bill, which authorizes the Department of Agriculture to remove certain piers; but section 9 of this bill authorizes the Secretary to negotiate and enter into an agreement with any individual, firm, or corporation acceptable to him for the erection of a concession or refreshment building on the estate at Mount Vernon.

We are all sufficiently interested in the maintenance of the character of that estate not to have some cheap building erected there by a concessionaire. That building in its construction should be conformable to the dignity of the home of George Washington, and it should be erected by the Government; and the Government having erected the proper kind of building there, it could lease it to the concessionaire.

What does this section authorize? It authorizes some concessionaire to erect what will undoubtedly be a cheaply constructed building, as the lease is for only 10 years. I think that as we are providing for the authorization of a great memorial highway in honor of George Washington, we ought not to belittle it by authorizing a concessionaire to erect a building probably of cheap construction.

Mr. LA GUARDIA. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. LA GUARDIA. I notice that the bill provides for the erection of the building referred to, but the bill does not provide that the title shall be in the Government after the contract expires.

Mr. STAFFORD. That is another objection to this provision. I am not objecting to the first section of the bill, which the gentleman from Connecticut says is the exigent occasion. But I think we ought to go very slowly in granting authority for the erection of some cheap shack at a place where there should be erected some proper suitable building. I bring that to the attention of the majority leader of the House, because I have given some attention to the matter since the bill was placed on the calendar.

Mr. GARNER. Mr. Speaker, I think the RECORD will show that when the gentleman from Connecticut asked unanimous consent for the consideration of the Senate bill the Speaker put the request and called on the Clerk to report it, and he was under the impression that when the Clerk reported the bill unanimous consent had been given. I think it will be found that the Speaker put the request for unanimous consent for the substitution of the Senate bill, which the Speaker directed the Clerk to report.

The SPEAKER. The Journal will show that consent was granted.

Mr. GARNER. I understand the gentleman from Connecticut did not explain the provisions of the bill to the extent which the gentleman from Wisconsin [Mr. STAFFORD] has done. I understand this is to change the approach to the bridge down there.

Mr. TILSON. Yes. That is the emergency.

Mr. GARNER. Nothing was said with reference to the erection of a building at Mount Vernon under any conditions. I think the gentleman should take that up for consideration himself and see if it should not be amended.

Mr. UNDERHILL. Congress, when it takes over property by law, when it takes over the property at Mount Vernon, authorizes the construction of a building on private property?

Mr. TILSON. Mount Vernon does not belong to the Government.

Mr. STAFFORD. The title is in an association.

Mr. UNDERHILL. Then the provision is meaningless.

Mr. STAFFORD. In case no private concessionaire shall be found to erect such a building, the Government is authorized to go on with the construction of the building. I think the Government should erect the proper building and then should lease it to a private concessionaire. I do not want to see erected an unsightly shack down there. I think it would disgrace the whole project of improving Mount Vernon. That is what the second section, section 9, would permit. I hope the gentleman from Connecticut will move to strike out section 9. I do not want to block the consideration of this bill or interpose any motion to cause unnecessary delay.

Mr. TILSON. Of course, the amendment will necessitate going into conference on the bill, which will delay it somewhat. Mr. Speaker, it seems there is a considerable interest in this matter, and if the gentleman from Wisconsin feels so deeply about it, I am willing, in view of the fact that it is being done by unanimous consent, that section 9 should be stricken out, the bill sent to conference, and let section 9 be restored should it be deemed proper to restore it.

The SPEAKER. It is in order to consider that bill on the calendar in Committee of the Whole, and it would be in order to strike out the section.

Mr. STAFFORD. Mr. Speaker, I move to strike out section 9.

The SPEAKER. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Strike out, beginning on page 3, line 16, section 9.

Mr. STAFFORD. I shall not take up time in discussing it.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the Senate bill as amended.

The Senate bill as amended was ordered to be read a third time, was read the third time, and passed.

Mr. TILSON. I move that the title be amended to conform with the amendment to the text.

The SPEAKER. Without objection, the title will be amended.

On motion of Mr. TILSON, a motion to reconsider the vote whereby the Senate bill was passed was laid on the table.

The SPEAKER. Without objection, the similar House bill will be laid on the table.

There was no objection.

LYMAN PATTERSON

Mr. LINTHICUM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a short tribute to Lyman Patterson, who lost his life in an airplane crash the other day. He was a member of the United States Air Corps, Officers' Reserve Corps, and died on the 22d of February at the Johns Hopkins Hospital, Baltimore, as the result of an airplane crash.

The SPEAKER. The gentleman from Maryland asks unanimous consent to extend his remarks in the manner indicated. Is there objection?

There was no objection.

Mr. LINTHICUM. Mr. Speaker, I desire to pay a brief tribute to the memory of a very gallant gentleman and flyer, Capt. Lyman Patterson, Air Corps, Maryland National Guard and Captain Air Corps, Officers' Reserve Corps, who died on February 22 at the Johns Hopkins Hospital, Baltimore, as the result of an airplane crash.

Taking off in a commercial plane at Logan Field, Baltimore, the previous afternoon, Captain Patterson at the controls, an altitude of scarcely 200 feet had been attained when observers at the field heard the engine stop suddenly, sputter, and then stop again, the ship falling at once. Acting instantaneously, Captain Patterson before crashing cut off the ignition thus preventing sparks from reaching the gasoline, which action saved the lives of the occupants from death by fire as the gasoline tank burst when the airplane hit the earth, the gasoline flowing over the wreckage. Captain Patterson died early the next morning, while none of those with him were fatally hurt.

Captain Patterson, youngest of five brothers who served in the Army during the World War, was born at Baltimore, Md., August 13, 1898. Leaving college, he entered the aviation section of the Army Signal Corps as a flying cadet in 1917 when less than 19 years of age. After completing the course at the School of Military Aeronautics, then established at Princeton University by the Army, he was trained in flying at Call Field, Tex., receiving upon graduation the highest possible rating,

being recommended as pilot for all types of airplanes, including pursuit. Commissioned second lieutenant, Air Service, United States Army, he was with his unit on Long Island under orders for France and awaiting transportation when the armistice was signed. Subsequently he was on duty as an instructor in flying at Army air fields.

After the war, Captain Patterson entered the Air Corps, Maryland National Guard, as second lieutenant, later being promoted to first lieutenant and captain. An especially skilled pilot, devoted to flying, he was among those having the greatest number of flying hours in the country. In recognition of his distinguished record, his native State advanced him (posthumously) to major, Air Corps, Maryland National Guard, the appointment, together with a general order, being issued by direction of the governor the date of the flying officer's death. Major Patterson was laid to rest in the National Cemetery, Arlington, Va. He is survived by his wife, Mrs. Cathryne C. (Capel) Patterson; his mother, Mrs. Ballantyne Patterson; and several brothers.

The death of Major Patterson has called forth an unusual number of expressions of deep regret from a wide circle of friends and from those interested in aviation. Among those sending messages of sympathy to the family were the Governor of Maryland and the Governor of West Virginia.

The two editorials following evidence something of the regard and esteem in which Major Patterson was held and the place he had made in his chosen field of aviation, to the development of which he gave his best years, and, ultimately, his life.

[From the Richmond Times-Dispatch]

UNCERTAINTIES OF AVIATION

Although tremendous strides have been made toward making air travel safe, the newspapers almost daily inform a callous world of another crash and more deaths. The latest is that of Capt. Lyman Patterson, well known in Virginia, where he was widely loved as a man and profoundly respected for his long record of safe flying.

As a skillful pilot, he was probably unsurpassed in the Eastern section of the country. Belonging to the old school of flying, he was trained in the Army in 1917, and before reaching his majority was an instructor at an Army field in Texas. He continued to fly after leaving the service and rolled up the astonishing total of some 3,000 hours in the air with but one minor accident in which he escaped unscathed, marring his record. He died yesterday after crashing at Logan Field, Baltimore.

A new monoplane he was testing Friday developed motor trouble; suddenly, ominously, without warning, the motor was heard to die; it caught on and died again; the plane, from a height of 200 feet, came crashing to the ground.

Aviation and Virginia have lost a noble and enthusiastic friend.

[From the Baltimore Post]

The papers announce that Capt. Lyman Patterson is dead, but to thousands of Baltimoreans and to people in other cities, too, the one great grievous fact is that Pat has passed away. For Capt. Lyman Patterson wasn't the sort of fellow one called by name and title. Even on short acquaintance he was "Pat."

As a flier he was acknowledged to be one of the best in this section. But there was something about Pat which, even more than his flying ability, fitted him for aviation.

There was something quintessentially youthful, buoyant. There was the look of the viking about him and a spirit of high adventure. And so, in a deep and inner fashion, he typified this young art and science and monster, which is called aviation. Looking at Pat, knowing Pat, one felt it highly fitting that he should be one of those who should fly high in the hazardous forefront of those who are blazing a trail for the future.

MIXED CLAIMS COMMISSION AND TRIPARTITE CLAIMS COMMISSION

Mr. HAWLEY. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate Joint Resolution 109, extending for two years the time within which American claimants may make application for payment, under the settlement of war claims act of 1928, of awards of the Mixed Claims Commission and of the Tripartite Claims Commission.

The SPEAKER. The gentleman from Oregon asks unanimous consent for the immediate consideration of the joint resolution, which the Clerk will report.

The Clerk read the joint resolution, as follows:

Resolved, etc., That subsection (g) of section 2 and subsection (f) of section 5 of the settlement of war claims act of 1928 are amended, respectively, by striking out the words "two years" wherever such words appear therein, and inserting in lieu thereof the words "four years."

With the following committee amendment:

After line 7, insert the following new section:

"Sec. 2. Subsection (d) of section 25 of the trading with the enemy act, as amended, is hereby amended by striking out the term 'two years' in clause (1) of said subsection and inserting in lieu thereof the term 'three years.'"

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, what change does this bring about in addition to simply extending the time to file applications?

Mr. HAWLEY. It brings about no change. On next Monday, the 10th of this month, the time will expire in which American claimants can file for the money awarded to them by the Mixed Claims Commission. There are many claims yet pending that originally were filed, that have not yet been considered, and under the extension of two years granted by Germany under a treaty some two years ago there will be a number of other claims to be filed; and unless this resolution is passed the people to whom the money is granted can not get the money.

Mr. LAGUARDIA. That is the only change that the resolution makes?

Mr. HAWLEY. That is the only change that it makes; and the amendment in the case of German claims is to meet this situation. The time in which they can apply for their money will expire next Monday, and if we do not extend the time under this resolution the money will go to the German Government. It will be paid to either the claimants or the German Government, and the committee believes it should be paid to the claimants.

Mr. JOHNSON of Texas. Will the gentleman yield?

Mr. HAWLEY. I yield.

Mr. JOHNSON of Texas. Does this resolution have anything to do with claims against the Government of Mexico?

Mr. HAWLEY. Not at all.

Mr. STAFFORD. Will the gentleman yield?

Mr. HAWLEY. Yes; I yield.

Mr. STAFFORD. Is it the purpose of this resolution to lift the statute of limitations against those purported claimants who did not file their claims against the German Government in time? There are a number of such claims.

Mr. HAWLEY. It applies, in the first instance, to those who filed their claims, but upon which the commission has not acted; and, in the second instance, it applies to those who yet can file their claims under the provisions of the treaty with Germany which extended the time two years within which to file late claims.

Mr. STAFFORD. I am acquainted with some claims, where the claimants lost their rights because the statute of limitations had run under the law. Does this resolution purport to extend that time, and are we going to open anew to all claimants the right to file their claims?

Mr. HAWLEY. The time within which they can file their claims has been extended two years by agreement with the German Government. This resolution will allow the claimants to file applications for the money.

Mr. MCCLINTIC of Oklahoma. Will the gentleman yield?

Mr. HAWLEY. I yield to the gentleman.

Mr. MCCLINTIC of Oklahoma. Does this resolution affect money that is now in the hands of the Alien Property Custodian?

Mr. HAWLEY. Yes. The amendment will cause the money to be paid to the claimants instead of to the German Government.

Mr. MCCLINTIC of Oklahoma. We would be forced to make settlement right away, would we not, with the German Government, and certain claimants might be denied the right to receive the money unless this resolution is passed?

Mr. HAWLEY. The money is due and payable to the German Government on March 10. If we do not pass this amendment, the claimants will be unable to get it.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The committee amendment was agreed to.

The joint resolution was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

The title was amended.

HEADQUARTERS OF THE COTTON CORPORATION

Mr. TARVER. Mr. Speaker, I ask unanimous consent to extend my remarks by publishing in the RECORD an editorial occurring in a recent issue of the Rome (Ga.) News-Tribune referring to the location of headquarters for the Cotton Cor-

poration, recently organized under supervision of the Federal Farm Board.

The SPEAKER. The gentleman from Georgia asks unanimous consent to extend his remarks with relation to the Cotton Corporation. Is there objection?

There was no objection.

The editorial is as follows:

COTTON HEADQUARTERS

Executives of the American Cotton Cooperative Association and members of the Federal Farm Board, charged with the responsibility of selecting headquarters for the cooperatives' organization, have their task greatly simplified for them in the already known factors entering into the consideration of the question. Among the fundamentals involved are proximity to cotton mills—the only consumers of the staple—banking reserves, railroad facilities, and storage accommodations, the most sympathetic and helpful setting possible, the fewest hostile or conflicting elements in a business way and convenient contact and communication with the Federal Farm Board, which will exercise a certain supervision over the activities of the cooperative body.

With these essential elements held in view, it is the opinion of the News-Tribune that any unbiased consideration of headquarters location for the American Cotton Cooperative Association must inevitably lead to the selection of Atlanta as the strategic city.

Facts and figures buttressing these claims of the Georgia capital have already been ably presented to those responsible for the decision in the matter. Among them are:

First. Atlanta is within a few hours' ride of something like 60 per cent of the spindles in the entire country. The American Cotton Cooperative Association is primarily a sales agency for the State cotton cooperatives, and Atlanta offers everything that could possibly be desired in the way of proximity to mills, opportunity for personal contact in sales work, economy in telephone and cable costs, and other important features.

Second. Atlanta's banking resources are large, and there are more governmental agencies having headquarters in Atlanta than in any other city in the South.

Third. Atlanta's railroad facilities are adequate, and storage accommodations are unsurpassed.

Fourth. The American Cotton Cooperative Association will handle primarily the sales work of the State cooperatives. It will also have charge of financing the individual cooperatives, the handling of insurance matters, and other problems of the State associations, as well as the developing and strengthening of the cotton cooperative movement generally. In order to be as successful as possible in the achievement of these results, it is most important that the national association be located where it will have the most sympathetic support from business interests and the public generally. The cooperative movement will naturally attain the greatest success when business people as a whole see in it better economic conditions for all lines of business, just as it means greater actual profit to the cotton grower.

Fifth. Business men of Atlanta and of the State of Georgia, bankers and the press of Georgia, have certainly made a record in their support of cooperative marketing for cotton. At the hearing in Washington recently before the board of directors of the American Cotton Cooperative Association, a most representative group of citizens and business men from Atlanta and Georgia emphasized the point that the cooperative movement, if Atlanta were selected, would have its headquarters in a city and State where it would receive that sympathetic support and encouragement that it must have if it render the service and attain the success designed for it.

Sixth. Atlanta has few cotton merchants as compared with some other cities in the South. It is the judgment of those well informed that location of the cotton cooperative headquarters in a city where the business is primarily one of handling cotton would not be to the best interest of the cooperatives and their farmer members.

Seventh. As is well known, the activities of the American Cotton Cooperative Association will be supervised to a great extent by the Federal Farm Board. The Farm Board will also assist in every way possible in the development of the movement. It is therefore of the greatest importance that the board be near enough the headquarters of the association that the best personal contact and communication can be maintained between the two agencies.

Fundamental as they are, the factors outlined should go a long way with executives of the American Cotton Cooperative Association and with members of the Farm Board in determining a location.

TAX ON TOBACCO

The SPEAKER. Under the order of the House the Chair recognizes the gentleman from Kentucky [Mr. WALKER] for 15 minutes.

Mr. WALKER. Mr. Speaker, I desire to call the attention of the House to the very exorbitant and unjust tax on tobacco. It is \$1 per pound on the most of the tobacco produced in my district. It is the only commodity that now carries the full

war tax. It is the only agricultural product that is taxed. There has been a reduction of war taxes on everything except certain types of tobacco. The tax on cigarette tobacco is six or seven times greater in amount than the tenant receives who produces it, and three or four times the amount received by both the tenant and the landowner. Tobacco is the chief money crop of my district, and three-fourths of the people rely on it for a livelihood. It is produced in large quantities throughout the State of Kentucky.

What would you think of the fairness of a taxing law which levied a tax on the chief crop or product of your district three or four times greater than the price the producer realizes for it? Would you not say it is unfair, unjust, and exorbitant?

The people of my State are very much interested and concerned in having this tax reduced. North Carolina and Kentucky lead in the production of tobacco, but there are important productions in many other States, especially in Virginia, South Carolina, Georgia, Tennessee, Missouri, Ohio, Indiana, West Virginia, Wisconsin, New York, Connecticut, Pennsylvania, Maryland, Massachusetts, Arkansas, Oklahoma, and Texas; and I especially call the attention of my colleagues from these States to this unfair tax and beg for their aid and assistance in bringing about a reduction. I appeal to the sense of fairness of the Members from all States. I call for the help of every Member who advocates fairness and right and opposes oppression and wrong.

Under the revenue act of 1926 the tax on cheap cigars was reduced one-half, and higher-priced cigars were also reduced to some extent, but not in the same proportion as the cheaper ones. However, there is no relief in the revenue act of 1926 for chewing and smoking tobacco or cigarette tobacco. The pre-war tax on cigarettes was \$1.25 per thousand on cigarettes weighing not more than 3 pounds per thousand. This rate was raised to \$2.05 per thousand in November, 1917, and to \$3 per thousand under the revenue act of 1918, where it has since remained. It will be seen that for 1,000 cigarettes weighing 3 pounds the Government receives as a tax \$3, or \$1 per pound. For this same tobacco the grower receives on an average of about 25 or 30 cents per pound, or about one-fourth to one-third of the amount that the Government receives for tax. To count it another way, the price of a box of cigarettes costing 15 cents is divided as follows: The landowner, less than 1 cent; the tenant, less than 1 cent; the Government, 6 cents; and the manufacturer and handlers of the tobacco get something over 7 cents. We submit that this is a very unfair division.

On cigarettes weighing more than 3 pounds per thousand the pre-war tax was \$3.60 per thousand, and the revenue act of 1918 raised this tax to \$7.20 per thousand.

I desire to suggest here that cigarettes require the very finest and highest grade of tobacco that can be produced. To grow it we must have the richest of the soil and the greatest care and skill in the planting, cultivating, cutting, housing, grading, stripping, and marketing of the tobacco. It requires the best land and the most experienced workers. It is only possible to find a few acres of such land on the ordinary tobacco farm.

As to chewing and smoking tobacco, the act of August, 1909, fixed the tax on it at 8 cents per pound. It was raised to 10½ cents per pound in October, 1917, and to 13 cents per pound in November, 1917, and the present rate was fixed at 18 cents per pound by the revenue act of 1918. The producer gets for this tobacco about 18 or 20 cents per pound. The Government thus takes 100 per cent for taxes. A mere statement of the case shows that the tax is unreasonable, as well as unjust.

The only suggestion that attempts to justify this tax is that it is a luxury tax. It may be a luxury to those who use it, but it is surely not to those who produce it. It is not a luxury to the landowner but a necessity, when we realize the fact that his farm becomes a liability instead of an asset when the price of his tobacco crop is destroyed by taxation or otherwise. It is not a luxury to the farmer, who can not pay his tax and support his family when his tobacco crop does not yield a fair price. It is not a luxury to the tenant, whose existence depends upon his tobacco. Unless he receives a fair price he has no money with which to feed and clothe his wife and children. He can not buy the necessities of life. He can not send his children to school. This tax is very unfair to him.

There is no work on the farm that is as hard and exacting as the production of a tobacco crop. One man can not look after and cultivate over two acres, hence it is almost universally true that the tobacco tenant not only labors hard himself from early morning until late at night but his wife and children help him in the production of his crop, so that he can have a sufficient number of acres to provide food and clothing for his family. He begins the crop in the winter by plowing the land and burning and preparing the bed for his seed, which must be sowed in the early spring to furnish plants to be set in the early summer.

This bed requires constant care and watching. The crop requires constant work and skill in properly cultivating it, destroying the worms, removing the suckers, and topping it. It must be cut and housed under proper conditions and looked after in the barns until the time comes to strip it.

This requires hard and skillful work, for it must not only be properly stripped but carefully graded in order to bring the best prices. Thus, after working through the winter, spring, summer, fall, and winter again, the crop is ready to be taken to the market, after the tenant has spent four seasons in getting it ready. During all this time he has been living on the prospects of his tobacco crop. If he does not receive a fair price, he remains in debt to his landlord, and this makes his future prospects gloomy indeed. It is for these workers that I appeal to you to correct this wrong and reduce this tax. I would that I could paint to you the picture of the husband and wife and their barefooted children, illy clad, going forth to the field to plant, cultivate, and produce the crop in the spring and summer and then prepare it for the market in the fall and winter. Many of these tenants live in badly constructed houses, with scant food, and not able to send their children to school when their crops fail or the price falls below the cost of production. There are thousands and thousands of tobacco tenants in this country, who, with all their efforts, as well as their families, make less than \$500 per year, and many less than \$200—and then to think that for every dollar that these hard-working people receive that this powerful and mighty Government takes \$3 from the production of their toil! It is not fair. It is not right.

Mr. ABERNETHY. Will the gentleman yield?

Mr. WALKER. Yes.

Mr. ABERNETHY. I am very much interested in the gentleman's address, and I am delighted to see him take this stand, because if there are any taxes which ought to be reduced it should be tobacco taxes. I am glad the gentleman is starting an agitation about this matter, because I have been interested in it for a number of years and have made several speeches about it. The Federal taxes paid by the State of Kentucky, which the gentleman represents, and the State of North Carolina are out of all proportion to the taxes paid by other States, and that is due to these tobacco taxes. In North Carolina we are now the second largest Federal taxpayer in the Union.

We pay more Federal taxes than Pennsylvania, Illinois, or any other State except New York. I am delighted to see the gentleman taking this stand and I shall do everything I can to aid him in bringing about proper reduction of Federal tobacco taxes in favor of the people.

Mr. WALKER. I thank the gentleman.

Mr. GARNER. Will the gentleman yield?

Mr. WALKER. Yes.

Mr. GARNER. Let me suggest to the gentleman that there have been four internal revenue bills since 1921; the House of Representatives has been Republican, the Senate has been Republican, and we have had a Republican President. If this great injustice has been done, it has been done by the Republican Party.

Mr. WALKER. Well, it is a very unjust tax and there has been no relief. I am now asking for relief in the future, because the past is gone.

Mr. GARNER. Is this the only injustice the gentleman knows about that the Republican Party is now perpetrating?

Mr. WALKER. I can not take that up now. [Laughter.]

It might be all right to place as high a tax on tobacco as a luxury as the user would pay, but whenever the tax gets so high that it reflects back and decreases the price to the producer, then it becomes unjust and "kills the goose that lays the golden egg."

We do not concede, however, that tobacco is entirely a luxury to the consumer. It is used by the poor and unfortunate as well as by the rich and powerful. It is so universally used that it is a necessity to many, but considering it as a luxury only, we maintain that it is still unfair to the producer, to fix the tax so high that his profits in the production will be consumed and destroyed.

The United States Government now receives nearly one-half billion dollars a year from its tobacco tax levy. This is far more than the producers receive for the entire crop. The tobacco grower is entitled to relief, and one of the greatest reliefs that can be given to him is to reduce this tax. The tobacco grower is constantly reminded that he can not get a better price for his tobacco, on account of the high taxes. We submit that this Congress should make a material reduction in these taxes.

Some who have given this matter study, and whose opinions are worthy of consideration, maintain that the tax could be reduced one-half and the Government would receive more money

in taxes at the lower rate than they now receive at the higher rate. It is my opinion that the taxes on chewing and smoking tobacco and snuff and cigarette tobacco should be reduced from one-third to one-half, and then we can wait and watch and see whether this reduction will result in an increased price to the grower, as well as the effect that it will have on the amount of taxes collected, and then lower the tax as experience will permit and justify.

Agriculture is in a distressed condition. In many cases the price realized is below the cost of production. In addition to this situation the tobacco farmer is required to carry this tax burden on his production.

I realize that to grant this relief raises a question of revenue, and must be carefully considered—for that reason I am bringing it sharply to the attention of Congress now, so that it may be considered in the next reduction of taxes. It should be brought about at the earliest possible moment. Tobacco prices during the last season were unsatisfactory and, in many cases, less than the cost of production. The buyers assign this excessive tax as one of the reasons why a higher price can not be paid for the crop. The tax is so high that they buy as little as possible.

I appeal to you on behalf of the debt-ridden landowners to grant relief. I appeal to you on behalf of the struggling tenants, who labor with their families from early morn until late at eve, through the long hot days of summer and the cold hours of winter, in order that they may have the necessities of life for their families, and in order that they may have the means to educate their children, to prepare them for the struggles of life. They ask not for advantages, they beg not for favors, but crave at your hands only what is just and right. There are thousands of these workers, who are oppressed by this excessive taxation, and in the name of humanity I ask at the hands of this Congress relief from this oppression of this unjust taxation.

On April 23, 1929, eight days after the convening of the special session, I called attention to this tax, in the extension of my remarks on the farm relief bill, and on May 31 I introduced H. R. 3573 for the purpose of reducing this tax. I again call it to the attention of Congress, and implore you to lower this tax.

Tobacco prices have gone to pieces and are being described as miserable. Growers all over the tobacco districts are signing petitions, asking Congress to lower this tax. I appeal to you not in idle words but with all of the earnestness and sincerity at my command to hear this cry for help and grant this relief. It is the greatest farm relief that could come to the tobacco farmer, and in the name of all that is fair, just, and right I ask at your hands a substantial reduction of this war-time excessive tax. [Applause.]

Reverting to the question asked by the gentleman from Texas, I desire to say that the tobacco districts of Kentucky have been represented heretofore by Democrats, and I have never heard of anything they have done to bring about this relief. [Applause.]

Mr. ABERNETHY. Will the gentleman yield?

Mr. WALKER. Yes.

Mr. ABERNETHY. I am glad to see the gentleman starting the agitation on that side of the House. I have been agitating this question for some time, and if I can get the Democrats lined up, and the gentleman can get the Republicans lined up, we will get some relief.

Mr. WALKER. I hope we may both succeed.

CONGESTION IN THE FEDERAL COURTS RELATING TO PROHIBITION ENFORCEMENT

The SPEAKER. Under the special order of the House the gentleman from West Virginia [Mr. BACHMANN] is recognized for 45 minutes.

Mr. BACHMANN. Mr. Speaker and Members of the House, I expect to discuss to-day the congestion in the Federal courts as caused by prohibition enforcement. We have had before the Judiciary Committee the recommendation of the President's Commission on Law Observance with regard to increasing the powers of United States commissioners, so that petty liquor cases may be disposed of by United States commissioners instead of taking them direct into the Federal court.

If the figures I have here for the last four years, beginning with the fiscal year 1926 and ending with the fiscal year 1929, are inaccurate in any way it is because the district attorneys of the United States have failed to file a correct report. As far as I am advised, the number of prohibition cases handled by the Federal courts has never been separated before this time, because in the report made by the Attorney General are included all of the narcotic and other criminal violations, as well as liquor violations.

Mr. Speaker, I ask unanimous consent that the figures for each State and the tables which I have prepared may be incorporated in the RECORD as a part of my remarks.

The SPEAKER pro tempore (Mr. SLOAN). Without objection, it is so ordered.

There was no objection.

Mr. BACHMANN. Mr. Speaker, congestion in the Federal courts, as brought about by the enforcement of the Federal prohibition laws, has recently caused President Hoover, the Attorney General, and the commission on law observance, headed by Mr. Wickersham, to call the attention of the Congress to the fact that legislation of considerable importance should be enacted in the very near future to relieve the existing conditions in the Federal courts and to provide adequate machinery which will enable the courts to take care of the increasing load of criminal cases.

Up to this time, neither the Senate nor the House of Representatives have done anything to relieve the situation and from all indications it appears that no legislation of this character will be enacted at this session, the result of which will be to subject President Hoover to considerable criticism during the next year through the agency of Members of the Congress, who, for political reasons, or other motives of a personal nature, will seek to embarrass the President by the contention that he has not enforced the prohibition law, when as a matter of fact, Congress itself is to blame for not enacting legislation in accordance with his recommendation enabling him to proceed with his enforcement program.

As a member of the Subcommittee of the Judiciary of the House of Representatives, having the recommendations of the Commission on Law Observance under consideration, in so far as they pertain to this question of congestion in the Federal courts, I have given the matter considerable study. In order to get a correct picture of the situation, I obtained from the Attorney General the figures for the last four years, and will insert in the RECORD as part of my remarks the figures for each of the 85 Federal judicial districts in the United States for the 4-year period, beginning with the fiscal year 1926 and ending with the fiscal year 1929, along with certain schedules prepared from these figures, which will show the number of prohibition cases commenced, pending, and terminated, and the number of convictions, acquittals, pleas of guilty, and jury trials in each Federal district and State during this 4-year period, including the District of Columbia, but excluding Alaska, Hawaii, and Porto Rico.

These figures were taken from the reports made by each district attorney in the United States to the Attorney General, for each year during the 4-year period, and, it will be noted, that they represent solely the action taken in prohibition cases. Other criminal cases are not included.

These figures present some very interesting information. They show that during this 4-year period there were 196,413 prohibition cases commenced in all the Federal courts, or an average of 49,000 for each year. Of all cases commenced 163,653 resulted in convictions, or an average of 41,000 convictions for each year. Of all convictions 150,700 were pleas of guilty, an average of 37,000 pleas of guilty for each year. Ninety-two per cent of the convictions were by pleas of guilty, while 8 per cent of the convictions were by jury. There were 17,354 jury trials conducted during the period, or an average of 4,300 jury trials each year. There were 5,061 acquittals. Seventy-one per cent of the cases tried by juries resulted in convictions, and 29 per cent resulted in acquittals.

CASES COMMENCED

By cases commenced is meant the cases that are started each year in the Federal courts, beginning with the fiscal year 1926 and ending with the fiscal year 1929.

There were 196,413 prohibition cases commenced in all the Federal courts during this 4-year period. During the fiscal year 1926 there were 44,207 cases commenced; 40,432 in the fiscal year 1927; 55,416 in the fiscal year 1928; and 56,358 in the fiscal year 1929. Forty-two thousand eight hundred and ninety-nine, or approximately one-fourth of the cases started in all the States of the Union and the District of Columbia, were commenced in the State of New York. Kentucky was second, with 13,828 cases; and West Virginia was third, with 10,789.

The smallest number of cases were commenced in the State of Kansas, where 47 cases were commenced during this 4-year period. North Dakota was second with 158 cases, and Vermont third with 222.

More than one-half of all the cases commenced in the United States were commenced in the six combined States of New York, Kentucky, West Virginia, Texas, Pennsylvania, Georgia, and the District of Columbia. In other words, more prohibition cases were commenced in the 6 States mentioned and the District of Columbia than were commenced in all of the other 42 States put together.

There were 42,899 cases commenced in the State of New York, while in the States of Washington, Florida, Arkansas, Mon-

tana, Alabama, New Jersey, Mississippi, South Carolina, Arizona, Wisconsin, Massachusetts, Virginia, Idaho, Nebraska, Indiana, Iowa, New Hampshire, Rhode Island, New Mexico, Oregon, Colorado, Nevada, South Dakota, Maine, Connecticut, Delaware, Utah, Wyoming, Vermont, North Dakota, and Kansas combined there were 41,724 cases commenced, showing that there were more cases started in New York State than in all the 31 States mentioned put together.

That the cases commenced in the State of New York are on the increase there can be no doubt. In the year 1926 there were 8,441 cases commenced, while in 1929 there were 13,820 cases commenced, an increase of 5,379.

The southern district of New York is carrying the biggest load. There were 20,544 prohibition cases commenced in this district alone during this 4-year period. This is as many as were commenced in the three other Federal districts in New York combined. The southern district of New York leads every other district in the United States in the number of cases commenced. In fact, twice as many cases were commenced in this district as in any other district in the United States.

The average number of prohibition cases commenced each year of the 4-year period is approximately 49,000.

CONVICTIONS

By convictions is meant the number of pleas of guilty and the number found guilty by a jury for violating the Federal prohibition laws during this 4-year period, beginning with the fiscal year 1926 and ending with the fiscal year 1929.

During this 4-year period there were 163,653 convictions. New York with 34,525 convictions led all the other States. Kentucky was second with 12,125, and West Virginia third with 8,706.

The State of Kansas had the least number of convictions with 37; North Dakota was second with 99, and Vermont third with 164.

Approximately one-fourth of the convictions obtained for violation of the Federal prohibition laws were in the States of New York and Georgia. There were 40,149 convicted in these two States during this 4-year period.

It may also be of interest to note that 81,306 convictions were had in the seven combined States of New York, Kentucky, West Virginia, Texas, Pennsylvania, Georgia, and Oklahoma. In other words, one-half of the convictions secured in the United States for violation of the Federal prohibition laws, were secured in the States mentioned. This means that there were as many convictions secured in the 7 States mentioned as there were in the other 41 States in the Union and the District of Columbia combined.

During the fiscal year 1926, there were 36,684 convictions obtained in all the States and the District of Columbia. While in the fiscal year 1927 there were 31,554; in the fiscal year 1928 there were 48,549; and 46,766 in the fiscal year 1929.

There are approximately 41,000 convictions each year for violation of the Federal prohibition laws.

Mr. GRIFFIN. In the Federal courts?

Mr. BACHMANN. In the Federal courts only.

Mr. GRIFFIN. That does not include convictions in the State courts.

Mr. BACHMANN. No; there is no way of obtaining the records from the State courts.

Mr. GRIFFIN. And none of the gentleman's figures relates to the commencement of actions or to convictions in the State courts?

Mr. BACHMANN. No; only in the Federal courts.

Mr. JOHNSON of Texas. Will the gentleman's remarks give the record for each State?

Mr. BACHMANN. That will be given by States, alphabetically, showing the States having the greatest congestion, and so on, all the way down the list.

Mr. TAYLOR of Tennessee. Will the gentleman yield?

Mr. BACHMANN. Yes.

Mr. TAYLOR of Tennessee. I am in thorough sympathy with the argument of the gentleman; in fact, I introduced a similar bill three or four years ago, but I was confronted with a constitutional question. Has the gentleman gone into that phase of the matter, and does the gentleman treat of that in his remarks to-day?

Mr. BACHMANN. I have gone into that, and I will speak of that a little later.

PLEAS OF GUILTY

By pleas of guilty is meant the number of pleas of guilty entered, beginning with the fiscal year 1926 and ending with the fiscal year 1929.

During this 4-year period there were 150,700 pleas of guilty, or more than 37,000 each year. During the fiscal year 1926

there were 34,036 pleas of guilty; in the fiscal year 1927 there were 28,732; in the fiscal year 1928 there were 45,046; and 42,886 in the fiscal year 1929.

About one-fourth of all pleas of guilty, or 34,147, were entered in the State of New York. The State of Kentucky was second with 10,086 and West Virginia third with 8,622.

The smallest number of pleas of guilty were entered in Kansas, with 34. North Dakota was second with 97 and Vermont third with 131.

There were 76,605 pleas of guilty entered in the seven combined States of New York, Kentucky, West Virginia, Texas, Pennsylvania, Oklahoma, Georgia, which is more than was entered in all the other 41 States and the District of Columbia combined.

Approximately one-tenth of all pleas of guilty were entered in the southern district of New York.

Ninety-two per cent of the convictions during this 4-year period were pleas of guilty, while 8 per cent of the convictions were by juries.

TRIALS BY JURY

By jury trials is meant the number of cases tried by juries during the fiscal year beginning 1926 and ending with the fiscal year 1929.

There were 17,354 trials by juries conducted during this 4-year period, which is an average of about 4,300 trials each year.

During the year 1926 there were 4,002 cases tried, while there were 4,825 cases tried by juries during the year 1929.

The largest number of cases tried by juries during this period were tried in the State of Kentucky, where 2,837 trials were held. The State of North Carolina was second, with 2,123 trials, while the District of Columbia was third, with 1,383.

There are only seven districts that had more than 500 jury trials each, while 78 districts had less than 500 each, or an average of 125 trials each year for the period.

There were only five jury trials conducted during the 4-year period in the State of Kansas; Connecticut and North Dakota were second, with seven trials each.

The eastern district of Kentucky has the distinction of having more jury trials than any other district. There were 2,185 prohibition cases tried before juries in that district during this period. During the year 1929 984 jury trials were conducted, or an average of three jury trials each working-day in the year. It is hard to conceive how it is possible for the judge of that court to conduct 984 prohibition trials, and then have time to dispose of all other criminal cases pending in his court as well as to dispose of all the civil business.

It may be interesting to note that there were more jury trials held in the State of Kentucky than in the States of Louisiana, Maryland, Idaho, Ohio, Colorado, Missouri, Virginia, Arizona, Indiana, Mississippi, Wisconsin, Oregon, Rhode Island, West Virginia, New Mexico, Minnesota, New Hampshire, Utah, Iowa, Vermont, New Jersey, Delaware, Nebraska, Nevada, Massachusetts, Wyoming, South Dakota, Maine, Connecticut, North Dakota, and Kansas combined. In other words, more jury trials were conducted in the State of Kentucky than in all the 31 States mentioned put together.

Of the 17,354 jury trials held in all districts during the 4-year period, 5,061 resulted in acquittals and 12,293 resulted in convictions. This means that 29 per cent of those who stood trial were acquitted, while 71 per cent were convicted.

PENDING CASES

By pending cases is meant all the prohibition cases remaining on the court dockets which had not been tried or disposed of at the end of each fiscal year.

At the beginning of the fiscal year 1926 there were 24,648 prohibition cases pending in all the Federal courts and awaiting disposition; in the fiscal year 1927 there were 21,072; in 1928 there were 20,930; while at the end of the fiscal year 1929 there were 18,654.

During this 4-year period there was a decrease of 600 cases of those that were pending, showing that, in addition to taking care of all the new cases that were commenced each year during the period, the Federal courts had disposed of 600 more cases from the number pending.

At the beginning of the period in 1926 the State of New York had 5,270 cases pending on its dockets, while at the end of the period in 1929 there were 4,829 cases still pending and awaiting disposition. At the end of the period in 1929 there were 16 States and the District of Columbia, which showed an increase in the number of cases pending, while 32 States showed a decrease.

The State of New York, with 4,829 cases, has more cases pending than any other State in the Union. Georgia is second

with 1,516 cases, while the District of Columbia is third with 1,300.

On the other hand, the State of Connecticut, with two cases pending, has less than any other State. Delaware is second with 4 cases, and Kansas third with only 11 pending.

The District of Columbia shows the largest increase in the number of pending cases. At the beginning of the period in 1926 there were 649 cases pending; at the end of the period in 1929 there were 1,300 pending.

The State of New Jersey shows the largest decrease. At the beginning of the period in 1926 there were 1,967 cases pending; at the end of the period in 1929 there were only 521 pending.

Of the 18,654 cases pending at the end of the period in 1929 in all Federal courts, 4,829, or more than one-fourth, were pending in the State of New York.

There are 85 Federal judicial districts in the United States, and 76 districts had less than 500 cases each pending at the end of the fiscal year 1929. In other words, there were only 9 districts out of the 85 that had more than 500 cases each pending.

COMPARISON OF THE STATES OF NEW YORK AND KANSAS

While there were 42,899 cases commenced during the 4-year period in the State of New York, there were only 47 cases commenced in the State of Kansas.

There were 34,525 convictions in the State of New York while in the State of Kansas there were 37.

At the end of the fiscal year 1929 there were 4,829 cases pending in New York and only 11 in Kansas.

Thirty-four thousand one hundred forty-seven pleas of guilty were recorded in New York, while in Kansas there were 34.

During the 4-year period there were 815 jury trials in New York, while in Kansas there were only 5.

Mr. CELLER. Will the gentleman yield?

Mr. BACHMANN. I yield.

Mr. CELLER. Would the gentleman deduce from that there is better enforcement in New York than in Kansas?

Mr. BACHMANN. As I view the situation from these figures, it is pretty difficult to tell. There are two ways to look at the matter of enforcement. Does the gentleman mean the number of arrests made or the number of cases that could be arrested?

Mr. CELLER. I mean the number of cases that have been started, which is an indication there is some degree of enforcement, and probably better enforcement, in New York than that which exists in Kansas.

Mr. BACHMANN. These figures show that in the State of New York the law is better enforced, because the New York officials, or the peace officers, or whoever make the arrests there, have brought more cases into the courts of New York than the Federal courts there can take care of.

Mr. CELLER. As the gentleman well knows, in New York we have no State enforcement act, whereas in Kansas we have such an act, and yet we hear it stated, as we have been told before the Judiciary Committee, of which the gentleman and I are members, that where there is no State enforcement act the prohibition law is likely not to be properly enforced; and I judge from the gentleman's figures that in New York we have better enforcement, without a State enforcement act, than in Kansas, where they have a State enforcement act.

Mr. CHRISTOPHERSON. Will the gentleman yield?

Mr. BACHMANN. Yes.

Mr. CHRISTOPHERSON. Is not this rather the proper conclusion, that in New York the entire load of enforcement falls upon the Federal courts, while in Kansas the State courts take care of the better part of it?

Mr. BACHMANN. Exactly so. There are no other courts in the State of New York enforcing the Federal prohibition laws except the Federal courts.

Mr. CHRISTOPHERSON. And therefore the entire load falls on the Federal courts.

Mr. BACHMANN. The entire load falls on the Federal courts in the four Federal districts of New York.

Mr. CHRISTOPHERSON. While in Kansas they have State enforcement.

Mr. BACHMANN. Exactly so.

Mr. SPROUL of Kansas. Will the gentleman yield?

Mr. BACHMANN. Yes.

Mr. SPROUL of Kansas. Is it not a fact that under the Federal law a minimum fine of even \$1 and costs may be imposed as a penalty under a plea of guilty?

Mr. BACHMANN. No; not now, except in cases of unlawful possession.

Mr. SPROUL of Kansas. Is there any minimum fine fixed for a violation—

Mr. BACHMANN. I understand the other fines are fixed by Title II of the national prohibition act and they are more in cases of transportation and sale than they are in cases of possession.

Mr. SPROUL of Kansas. I am asking what the law provides. Is it not the fact that under the Federal law, the Volstead law in particular, the Federal court may assess as low a fine as \$1 if the court chooses to do so?

Mr. BACHMANN. I think that is true.

Mr. SPROUL of Kansas. While in Kansas the minimum punishment for any violation of the prohibitory law is \$100 plus 30 days in jail; and is it not a fact that this penalty accounts for so few prosecutions and so few convictions and means that the law is better observed?

Mr. BACHMANN. I can say to my good friend from Kansas I have no personal knowledge of the situation in Kansas, but I do have personal knowledge, from the figures here, of the number of cases pertaining to the Federal court in the State of Kansas.

Mr. GUYER. And if the gentleman will permit, I will add to that statement, in the State of Kansas the Federal judge announced he did not want these cases tried in the Federal court.

Mr. BACHMANN. I do not know about that.

Mr. HAMMER. Will the gentleman yield?

Mr. BACHMANN. Yes.

Mr. HAMMER. I do not think the gentleman from Kansas [Mr. SPROUL] desires to make the statement or to create the impression on the House that the Federal courts ever imposed a fine of \$1 in liquor cases. I do not think in any instance do they impose such a small fine as that. The usual fine in the small cases in the jurisdictions I know of is \$100, and there is seldom as small a fine as \$25 in any Federal court.

Mr. BACHMANN. I do not know what the situation is in Kansas with respect to fines, and I am not discussing the matter of fines; but I want to say to the gentleman from North Carolina the situation in each Federal district is different in that respect. Some Federal judges will impose a fine for a violation of the prohibition law, while others will sentence to jail or to the penitentiary.

I was in the Federal District Court for the Southern District of West Virginia this week and I saw the judge of that court in an hour and a half sentence over 50 prohibition violators to the penitentiary at Atlanta, to the reformatory at Chillicothe, Ohio, or to the Boys' Industrial School here in Washington; and in no instance, except where the maximum penalty was fixed, were fines attached. When I asked him about this he said, "Down here they do not have the money to pay fines and this is the only way we can enforce the law."

Mr. HAMMER. I will say to the gentleman that in my section of the country the United States courts, unless it is a first offense and a trivial offense, impose a jail sentence.

Mr. BACHMANN. If the gentleman will pardon me, I do not want to go further into these outside discussions.

DISTRICT OF COLUMBIA

In addition to the States of New York and Kentucky, the District of Columbia presents a situation pertaining to congestion that should have the immediate attention of the Congress.

At the beginning of the fiscal year 1926 there were 649 cases pending, while at the end of the fiscal year 1929 the number had increased to 1,300, showing the number of cases pending had doubled in 1929 over 1926. The fact is there are more cases pending in the District of Columbia than the courts are able to take care of.

During the year 1928 there were 2,630 cases commenced in the District of Columbia, while in the year 1926 there were 1,819 cases commenced; and in 1929 there were 1,661 commenced, showing that there were approximately 1,000 cases less commenced in 1929 than there were in 1928, and 158 cases less in 1929 than were commenced in 1926.

In 1926 there were 1,512 convictions secured, in 1927 there were 1,209, in 1928 there were 1,898, and in 1929 there were 822 convictions, showing a decrease of 690 convictions in the fiscal year 1929 as compared with the fiscal year 1926.

The greatest number of jury trials were conducted in the year 1927, when 702 trials were conducted, while the smallest number of trials were conducted in the fiscal year 1929, when only 167 jury trials were held.

WEST VIRGINIA

The State of West Virginia ranks third of all the States in the Union in the number of cases commenced, convictions, and pleas of guilty, surpassed only by the States of New York and Kentucky. There were 42,899 cases commenced in New York during this 4-year period, while there were 10,789 commenced in West Virginia, showing that one-fourth as many cases are commenced in West Virginia as are commenced in the State of New York.

There were more cases commenced in West Virginia than were commenced in the 17 combined States of Indiana, Iowa, New Hampshire, Rhode Island, New Mexico, Oregon, Colorado,

Nevada, South Dakota, Maine, Connecticut, Delaware, Utah, Wyoming, Vermont, North Dakota, and Kansas.

There was a decrease in the cases commenced from 2,674 in 1926 to 2,109 in 1929. The largest number of cases were commenced in 1927, when 3,097 were commenced, while the smallest number were commenced in 1929, when 2,148 cases were started.

During the 4-year period there were 8,706 convictions in the two Federal districts in the State of West Virginia, or an average of 2,200 each year. Of the convictions, 8,622 were pleas of guilty. In other words, 99 per cent of those convicted plead guilty.

There were only 99 jury trials, 14 of which resulted in acquittals and 85 in convictions, showing that of those who went to trial 84 per cent were convicted and 16 per cent were acquitted.

At the beginning of the fiscal year 1926 there were 562 cases pending in West Virginia, while at the end of the fiscal year 1929, 550 cases were pending, showing a decrease of 12 pending cases during the period.

Mr. FRANK M. RAMEY. Has the gentleman any information as to how many were nolledd?

Mr. BACHMANN. I have a number of cases nolledd but there were so many figures respecting the cases in court, jury trials and indictments, I did not put them in the list, but I will be glad to give the gentleman the figures if he wishes.

The southern district handles about three times as many prohibition cases as the northern district.

RELIEF

The President, the Attorney General, and the commission on law observance have recommended reorganization of the Federal court structure in order to relieve the congestion by, first, increasing the number of Federal judges; and, second, by enlarging the powers of the United States commissioners.

The first involves no constitutional question, while the second involves several. Neither of these recommendations can be performed by the President, because both proposals require the enactment of legislation by the Congress. If in the future a number of our Federal Courts are so congested that it is impossible to dispose of all prohibition cases pending on their dockets, the people of the United States will place the blame where it rightfully belongs—on the Senate and House of Representatives, and not upon the President. Every step the President has taken relative to the enforcement of Federal criminal laws indicates not only that he is sincere in his belief but that he has the foresight to call the attention of the Senate, the House of Representatives, and the people of the country to the fact that necessary and immediate legislation should be enacted in order that the law of the land may be enforced.

The President has now been in office for one year. In that period he has appointed a commission composed of some of the most capable and learned men in the country to investigate and study this question of enforcing the Federal criminal laws; he has repeatedly called the attention of the Congress to the fact that the increasing enactment of Federal criminal laws in the past 20 years, with the entailing increasing number of violations thereof, of which violation of the prohibition laws comprises rather more than one-half of the total arrests, has finally culminated in a burden upon the Federal courts of a character for which they are ill-designed and, in some cases, far beyond their capacity.

I am of the opinion that inasmuch as the creation of new Federal judicial districts or the appointment of more Federal judges would not conflict with the provisions of the Constitution, that immediate relief from congestion could be provided in those States wherein the figures show the Federal courts are unable to dispose of the business demanding immediate attention by the creation of new districts or the appointment of additional judges. [Applause.]

In order to enforce the Federal prohibition laws it is necessary that three separate agencies cooperate. There must be agencies to procure evidence and make arrests, district attorneys to prepare and try the cases, and courts to hear them.

Mr. SPROUL of Kansas. Will the gentleman yield?

Mr. BACHMANN. I yield.

Mr. SPROUL of Kansas. Can the gentleman give the character of the sentences imposed upon pleas of guilty?

Mr. BACHMANN. I have just stated that in three-fourths of the cases the judge sent the defendants to jail, or the reformatory in Chillicothe, or the National Training School in the District of Columbia, or to the Atlanta Penitentiary. He has been sending so many up from the southern districts that he told me last Thursday the officials in Chillicothe notified him not to send any more over there, because they could not take care of them, and he said there was some question in his mind what to do with them, because he could not fine them when they had not the money to pay.

Mr. CELLER. That would indicate that West Virginia is in rebellion against the law?

Mr. BACHMANN. No; it does not indicate that; rather that they are trying to enforce the law.

Mr. SPROUL of Kansas. It shows that they have district attorneys who have the right attitude on the enforcement of the law.

Mr. LAGUARDIA. Apparently there is a drive on the impecunious there if they can not pay their fine.

Mr. BACHMANN. I do not know how they select them; I have told you what I saw in the courts.

If the agency charged with the duty of making arrests makes more arrests for violation of the prohibition laws than the court can dispose of either by trial by jury or by pleas of guilty, then the court is congested. That is the situation in the State of New York, the District of Columbia, and several other States. The prohibition officers and police have brought in to the courts more cases than the courts can conveniently handle, and unless more courts are provided the law can not be properly enforced.

Mr. SPROUL of Kansas. In some States that may be so, but the Federal law is without any special provision for procuring evidence, other than through the grand jury?

Mr. BACHMANN. A Federal prohibition agent can make an investigation and make arrests.

Mr. SPROUL of Kansas. But the law does not provide the agent with a supply of money to buy evidence?

Mr. BACHMANN. Well, that is beside the question that I am discussing.

When courts are congested to this extent, it means considerable delay in the trial of civil matters, with much hardship to private litigants, as well as delay in the disposition of other criminal cases.

The other recommendation to relieve congestion, namely, giving the United States commissioners enlarged powers, involves several constitutional questions.

Under the Constitution of the United States, judges of Federal courts must be appointed by the President and confirmed by the Senate. A United States commissioner is not a court; he does not perform judicial functions. If he is clothed with the power to try prohibition cases and enter judgment, he would be performing a judicial function which would bring him within the Constitution of the United States, requiring his appointment by the President and confirmation by the Senate. He would hold his office during the remainder of his life, like all Federal judges.

Were it possible to enlarge the powers of the commissioners so that they would have the same powers as are now conferred upon justices of the peace, and magistrates in the several States, many thousands of prohibition cases would be disposed of each year; and the question of congestion would then be of minor importance.

The Commission on Law Observance, in order to keep within the constitutional requirements and at the same time relieve the Federal courts of this burden, has recommended that legislation be enacted permitting the United States commissioners to hear the evidence in all prohibition cases prosecuted by complaint or information. The commissioner after hearing the evidence would report the facts to the Federal court, and the court, after reviewing the report, would proceed to enter judgment of acquittal or conviction as the case may be, and in case of conviction impose sentence.

There has been considerable opposition to this proposal because, it is claimed, the proceeding will deprive the accused of his constitutional right of trial by jury and, in addition, the court would still be called upon to review the commissioner's report of each case and impose sentence. Personally I am opposed to depriving any citizen of his constitutional right of trial by jury. [Applause.] Any citizen who is liable to have his liberty taken from him by confinement in jail, whether it be for one day or six months, is entitled to his right of trial by jury.

The Commission on Law Observance, which has given this matter of congestion considerable study, appreciates the seriousness of the situation and is very desirous that some action should be taken.

The Jones law became effective May 2, 1929. Under this law every violation of the national prohibition act, except unlawful possession, is made a potential felony. This means that the proceedings in the Federal courts for all violations of the national prohibition act, except unlawful possession and the maintenance of a nuisance, must be before the grand jury and by indictment.

Prior to the Jones Act those accused of transportation and sale could be prosecuted on information. Now it is necessary

to proceed by indictment, which means an inquiry by a grand jury.

Until the figures for the end of the fiscal year 1930 are available it will be impossible to tell what effect the operation of the Jones law will have on this question of congestion. As it looks now, with all the cases except possession being prosecuted under indictment, the Federal courts will be more congested at the end of the fiscal year 1930 than they were at the end of the fiscal year 1929.

I noticed in one of my home newspapers the other day an item to the effect that Commander John D. Pennington, in charge of the sixth Federal prohibition unit, had conferred with the Hon. W. G. Brown, State prohibition commissioner for West Virginia, and that a system was being worked out whereby all petty offenses were to be prosecuted by the State courts, leaving the cases involving interstate shipments and conspiracy to be handled by the Federal courts.

If a system of this kind could be worked out in every State having a State prohibition law much headway could be made with prohibition enforcement. There would be very little congestion in the Federal courts, except in those States where they have no State prohibition law. It will be interesting to observe the progress made under this system of State and Federal cooperation in the State of West Virginia.

I do not think it can be seriously doubted but that the large number of prosecutions of minor violations of the prohibition laws due to the necessity of proceeding by indictment will seriously interfere with the vigorous handling of major violations. This situation can only be relieved by the Congress and not by the President.

One of the first things the Congress should do is to enact legislation as suggested by the Commission on Law Observance, defining the term "casual or slight violations" as used in the Jones law, "so that the district attorneys may prosecute these petty violations upon complaint or by information, and in such cases, when so prosecuted, the penalty for each offense should be a fine not to exceed \$500 or confinement in jail, without hard labor, not to exceed six months, or both."

This legislation—

Says the commission—

would obviate the long delay, unnecessary expense, and needless keeping in session of grand juries which are demanded by the present state of the Jones law.

Mr. Speaker, if it is possible for the Federal Government to properly enforce the Federal prohibition laws there is one thing sure, and that is, they can not be enforced without the aid of the Federal courts; and if there are more cases than the Federal courts can dispose of under the present judicial structure, it is high time that the Congress enact legislation to relieve the situation. [Applause.]

The States and districts wherein relief is needed may be determined from the following schedules, which I ask may be incorporated as a part of my remarks.

Annual disposition of cases beginning fiscal year 1928, ending fiscal year 1929

	Pending, beginning 1928	Com-menced	Acquittals	Convicted	Pleas of guilty	Jury trials	Pending, end of 1929
1928	24,648	44,207	1,266	36,784	34,036	4,002	20,707
1927	21,072	40,432	928	31,554	28,732	3,710	21,029
1928	20,930	55,416	1,413	48,549	45,046	4,817	18,238
1929	18,342	56,358	1,454	46,766	42,886	4,825	18,654
Total		196,413	5,061	163,653	150,700	17,354	

Total disposition of cases beginning fiscal year 1928, ending fiscal year 1929

State	Number of districts	Cases com-menced	Convicted	Pleas of guilty	Jury trials	Cases pend-ing
Alabama	3	2,490	2,159	1,742	600	226
Arizona	1	1,994	1,499	1,369	135	204
Arkansas	2	2,688	2,197	2,012	297	150
California	2	4,420	3,803	3,646	226	354
Colorado	1	788	555	443	161	119
Connecticut	1	342	336	332	7	2
Delaware	1	298	232	212	50	4
District of Columbia		8,292	5,531	4,095	1,383	1,300
Florida	2	2,831	1,873	1,710	319	492
Georgia	3	6,861	5,624	4,999	973	1,516
Idaho	1	1,332	1,037	868	194	99
Illinois	3	6,016	4,867	4,350	393	861
Indiana	2	1,326	1,107	1,013	114	199
Iowa	2	1,265	1,195	1,150	53	41
Kansas	1	47	37	34	5	11
Kentucky	2	13,828	12,125	10,086	2,837	315
Louisiana	2	3,906	4,349	4,239	205	52
Maine	1	540	459	448	14	43
Maryland	1	5,027	4,642	4,479	204	156
Massachusetts	1	1,625	1,454	1,386	37	130
Michigan	2	5,053	4,645	4,360	372	245
Minnesota	1	3,583	3,126	3,058	96	310
Mississippi	2	2,180	1,733	1,628	103	180
Missouri	2	4,935	4,472	4,349	153	333
Montana	1	2,619	2,178	1,994	230	339
Nebraska	1	1,329	1,118	1,084	46	142
Nevada	1	742	658	647	46	54
New Hampshire	1	1,197	1,141	1,076	79	24
New Jersey	1	2,215	1,892	1,860	52	521
New Mexico	1	846	601	554	96	30
New York	4	42,899	34,525	34,147	815	4,829
North Carolina	3	6,304	4,766	3,128	2,128	807
North Dakota	1	158	99	97	7	42
Ohio	2	4,451	4,037	3,888	168	425
Oklahoma	3	6,302	5,540	5,211	450	659
Oregon	1	845	789	696	100	55
Pennsylvania	3	7,743	6,534	5,963	902	463
Rhode Island	1	954	816	755	100	37
South Carolina	2	2,043	1,604	1,401	351	531
South Dakota	1	740	511	498	15	96
Tennessee	3	5,901	4,988	4,250	976	676
Texas	4	9,362	8,252	7,577	912	288
Utah	1	294	176	139	55	33
Vermont	1	222	164	131	53	30
Virginia	2	1,408	1,177	1,084	153	120
Washington	2	3,151	2,507	2,165	453	223
West Virginia	2	10,789	8,706	8,622	99	550
Wisconsin	2	1,933	1,578	1,494	103	320
Wyoming	1	289	239	231	34	18
Total		196,413	163,653	150,700	17,354	18,654

Total disposition of cases by States, beginning fiscal year 1928, ending fiscal year 1929

States	Com-menced	States	Convicted	States	Pleas of guilty	States	Trials	States	Pending
1. New York	42,899	1. New York	34,525	1. New York	34,147	1. Kentucky	2,837	1. New York	4,829
2. Kentucky	13,828	2. Kentucky	12,125	2. Kentucky	10,086	2. North Carolina	2,128	2. Georgia	1,516
3. West Virginia	10,789	3. West Virginia	8,706	3. West Virginia	8,622	3. District of Columbia	1,383	3. District of Columbia	1,300
4. Texas	9,362	4. Texas	8,252	4. Texas	7,577	4. Tennessee	976	4. Illinois	861
5. District of Columbia	8,292	5. Pennsylvania	6,534	5. Pennsylvania	5,963	5. Georgia	973	5. North Carolina	807
6. Pennsylvania	7,743	6. Georgia	5,624	6. Oklahoma	5,211	6. Texas	912	6. Tennessee	676
7. Georgia	6,861	7. Oklahoma	5,540	7. Georgia	4,999	7. Pennsylvania	902	7. Oklahoma	659
8. North Carolina	6,304	8. District of Columbia	5,531	8. Maryland	4,479	8. New York	815	8. West Virginia	550
9. Oklahoma	6,302	9. Tennessee	4,988	9. Michigan	4,360	9. Alabama	600	9. South Carolina	531
10. Illinois	6,016	10. Illinois	4,867	10. Illinois	4,350	10. Washington	453	10. New Jersey	521
11. Tennessee	5,901	11. North Carolina	4,766	11. Missouri	4,349	11. Oklahoma	450	11. Florida	492
12. Michigan	5,053	12. Michigan	4,645	12. Tennessee	4,250	12. Illinois	393	12. Pennsylvania	403
13. Maryland	5,027	13. Maryland	4,642	13. Louisiana	4,239	13. Michigan	372	13. Ohio	425
14. Missouri	4,935	14. Missouri	4,472	14. District of Columbia	4,095	14. South Carolina	351	14. Colorado	354
15. Ohio	4,451	15. Louisiana	4,349	15. Ohio	3,888	15. Florida	319	15. Montana	339
16. California	4,420	16. Ohio	4,037	16. California	3,646	16. Arkansas	297	16. Missouri	333
17. Louisiana	3,903	17. California	3,803	17. North Carolina	3,128	17. Montana	230	17. Wisconsin	320
18. Minnesota	3,583	18. Minnesota	3,126	18. Minnesota	3,058	18. California	226	18. Kentucky	315
19. Washington	3,151	19. Washington	2,507	19. Washington	2,165	19. Louisiana	205	19. Minnesota	310
20. Florida	2,831	20. Arkansas	2,197	20. Arkansas	2,012	20. Maryland	204	20. Texas	288
21. Arkansas	2,688	21. Montana	2,178	21. Montana	1,994	21. Idaho	194	21. Alabama	226
22. Montana	2,619	22. Alabama	2,159	22. New Jersey	1,892	22. Ohio	168	22. Michigan	245
23. Alabama	2,490	23. New Jersey	1,892	23. Alabama	1,742	23. Colorado	161	23. Washington	223
24. New Jersey	2,215	24. Florida	1,873	24. Florida	1,710	24. Missouri	153	24. Arizona	204
25. Mississippi	2,180	25. Mississippi	1,733	25. Mississippi	1,628	25. Virginia	153	25. Indiana	199
26. South Carolina	2,043	26. South Carolina	1,604	26. Wisconsin	1,494	26. Arizona	135	26. Mississippi	180
27. Arizona	1,994	27. Wisconsin	1,578	27. South Carolina	1,401	27. Indiana	114	27. Maryland	156
28. Wisconsin	1,933	28. Arizona	1,499	28. Massachusetts	1,386	28. Mississippi	103	28. Arkansas	160

Total disposition of cases by States, beginning fiscal year 1926, ending fiscal year 1929—Continued

States	Com- menced	States	Con- victed	States	Pleas of guilty	States	Trials	States	Pending
29. Massachusetts.....	1,625	29. Massachusetts.....	1,454	29. Arizona.....	1,369	29. Wisconsin.....	103	29. Nebraska.....	142
30. Virginia.....	1,408	30. Iowa.....	1,195	30. Iowa.....	1,150	30. Oregon.....	100	30. Massachusetts.....	130
31. Idaho.....	1,332	31. Virginia.....	1,177	31. Nebraska.....	1,084	31. Rhode Island.....	100	31. Virginia.....	120
32. Nebraska.....	1,329	32. New Hampshire.....	1,141	32. Virginia.....	1,084	32. West Virginia.....	99	32. Colorado.....	119
33. Indiana.....	1,326	33. Nebraska.....	1,118	33. New Hampshire.....	1,076	33. New Mexico.....	96	33. Idaho.....	99
34. Iowa.....	1,265	34. Indiana.....	1,107	34. Indiana.....	1,013	34. Minnesota.....	96	34. South Dakota.....	96
35. New Hampshire.....	1,197	35. Idaho.....	1,037	35. Idaho.....	868	35. New Hampshire.....	79	35. Oregon.....	55
36. Rhode Island.....	954	36. Rhode Island.....	816	36. Rhode Island.....	755	36. Utah.....	55	36. Nevada.....	54
37. New Mexico.....	846	37. Oregon.....	789	37. Oregon.....	696	37. Iowa.....	53	37. Louisiana.....	52
38. Oregon.....	845	38. Nevada.....	658	38. Nevada.....	647	38. Vermont.....	53	38. Maine.....	43
39. Colorado.....	788	39. New Mexico.....	601	39. New Mexico.....	554	39. New Jersey.....	52	39. North Dakota.....	42
40. Nevada.....	742	40. Colorado.....	555	40. South Dakota.....	498	40. Delaware.....	50	40. Iowa.....	41
41. South Dakota.....	740	41. South Dakota.....	511	41. Maine.....	448	41. Nebraska.....	46	41. Rhode Island.....	37
42. Maine.....	640	42. Maine.....	459	42. Colorado.....	443	42. Nevada.....	46	42. Utah.....	33
43. Connecticut.....	342	43. Connecticut.....	336	43. Connecticut.....	332	43. Massachusetts.....	37	43. New Mexico.....	30
44. Delaware.....	298	44. Wyoming.....	239	44. Wyoming.....	231	44. Wyoming.....	34	44. Vermont.....	30
45. Utah.....	294	45. Delaware.....	232	45. Delaware.....	212	45. South Dakota.....	15	45. New Hampshire.....	24
46. Wyoming.....	289	46. Utah.....	176	46. Utah.....	139	46. Maine.....	14	46. Wyoming.....	18
47. Vermont.....	222	47. Vermont.....	164	47. Vermont.....	131	47. Connecticut.....	7	47. Kansas.....	11
48. North Dakota.....	158	48. North Dakota.....	99	48. North Dakota.....	97	48. North Dakota.....	7	48. Delaware.....	4
49. Kansas.....	47	49. Kansas.....	37	49. Kansas.....	34	49. Kansas.....	5	49. Connecticut.....	2
	196,413		163,653		150,700		17,354		18,654

Numerical list—Total disposition of cases by districts, beginning fiscal year 1926, ending fiscal year 1929

State	Commenced		State	Convictions		State	Pleas		State	Trials		State	Pending 1929	
	Dis- trict	Cases		Dis- trict	Cases		Dis- trict	Cases		Dis- trict	Cases		Dis- trict	Cases
1. N. Y.	S.	20,544	1. N. Y.	S.	16,803	1. N. Y.	S.	16,747	1. Ky.	E.	2,185	1. N. Y.	S.	1,836
2. Ky.	E.	10,607	2. Ky.	E.	9,182	2. N. Y.	E.	7,893	2. D. C.	E.	1,383	2. N. Y.	W.	1,380
3. N. Y.	E.	8,992	3. N. Y.	E.	8,093	3. Ky.	E.	7,596	3. N. C.	E.	1,032	3. D. C.	E.	1,300
4. D. C.	S.	8,292	4. N. Y.	N.	6,736	4. N. Y.	N.	6,690	4. N. C.	W.	707	4. Ga.	N.	1,055
5. W. Va.	S.	8,240	5. W. Va.	S.	6,477	5. W. Va.	S.	6,447	5. Ky.	W.	652	5. N. Y.	E.	807
6. N. Y.	N.	7,977	6. D. C.	E.	5,531	6. Md.	S.	4,479	6. Tenn.	E.	533	6. N. Y.	N.	803
7. N. Y.	W.	5,386	7. Md.	E.	4,642	7. D. C.	S.	4,095	7. Ga.	N.	505	7. Ill.	N.	525
8. Md.	W.	5,027	8. Pa.	W.	4,206	8. Pa.	W.	4,069	8. N. Y.	E.	444	8. N. J.	S.	521
9. Pa.	E.	4,804	9. Mich.	E.	3,872	9. Mich.	E.	3,677	9. Ala.	N.	438	9. W. Va.	S.	504
10. Mich.	E.	4,224	10. La.	E.	3,685	10. La.	E.	3,598	10. Tenn.	M.	398	10. Tenn.	M.	488
11. Minn.	E.	3,583	11. Okla.	E.	3,287	11. Okla.	E.	3,086	11. N. C.	M.	389	11. S. C.	E.	472
12. Okla.	E.	3,386	12. Minn.	N.	3,126	12. Minn.	N.	3,058	12. Pa.	M.	380	12. Fla.	S.	445
13. Ga.	N.	3,382	13. Ohio.	N.	3,043	13. Ohio.	N.	2,910	13. Wash.	W.	378	13. N. C.	M.	387
14. Ohio.	N.	3,292	14. Ky.	W.	2,943	14. N. Y.	W.	2,817	14. Ga.	M.	337	14. Okla.	W.	355
15. Calif.	N.	3,273	15. N. Y.	W.	2,893	15. Mo.	E.	2,762	15. Tex.	S.	308	15. Mont.	N.	339
16. Ky.	W.	3,221	16. Mo.	E.	2,810	16. Calif.	N.	2,724	16. Pa.	E.	278	16. N. C.	W.	321
17. La.	E.	3,198	17. Calif.	N.	2,802	17. Tex.	W.	2,627	17. Tex.	N.	275	17. Minn.	N.	310
18. Ill.	N.	3,166	18. Tex.	W.	2,770	18. Ky.	W.	2,490	18. Mich.	E.	269	18. Ohio.	N.	299
19. Tex.	N.	3,102	19. Tex.	N.	2,692	19. Tex.	N.	2,468	19. Pa.	W.	244	19. Ill.	N.	265
20. Tex.	W.	3,068	20. Ga.	N.	2,507	20. Ga.	N.	2,192	20. Fla.	S.	238	20. Ky.	E.	261
21. Mo.	E.	3,010	21. Tenn.	E.	2,450	21. W. Va.	E.	2,175	21. Ark.	E.	238	21. Ga.	S.	259
22. Tenn.	E.	2,854	22. Ill.	N.	2,428	22. Tenn.	E.	2,093	22. Okla.	E.	230	22. Mich.	E.	232
23. N. C.	W.	2,695	23. W. Va.	N.	2,229	23. Ill.	N.	2,076	23. Mont.	W.	230	23. Pa.	W.	225
24. Wash.	W.	2,669	24. N. C.	W.	2,196	24. Mont.	W.	1,994	24. S. O.	W.	212	24. Calif.	N.	219
25. Mont.	N.	2,619	25. Mont.	W.	2,178	25. N. J.	W.	1,860	25. Md.	W.	204	25. Ariz.	N.	204
26. W. Va.	N.	2,549	26. Wash.	W.	2,105	26. Wash.	W.	1,830	26. Idaho.	N.	194	26. Ga.	M.	202
27. Tenn.	M.	2,230	27. N. J.	S.	1,892	27. Tex.	S.	1,663	27. Ill.	N.	194	27. Mo.	W.	197
28. N. J.	S.	2,215	28. Tex.	S.	1,877	28. N. C.	W.	1,628	28. N. Y.	S.	184	28. Okla.	E.	189
29. Fla.	S.	2,204	29. Tenn.	M.	1,816	29. Mo.	W.	1,587	29. Tex.	W.	182	29. Wash.	W.	183
30. Tex.	S.	2,134	30. Ark.	E.	1,691	30. Ark.	E.	1,544	30. Okla.	W.	176	30. Pa.	E.	183
31. Ark.	E.	2,099	31. Ga.	M.	1,682	31. Tenn.	M.	1,533	31. Ill.	E.	164	31. Wis.	E.	171
32. N. C.	E.	2,070	32. Mo.	W.	1,662	32. Ga.	M.	1,447	32. La.	E.	163	32. Md.	E.	156
33. Ariz.	W.	1,994	33. N. C.	E.	1,598	33. Mass.	S.	1,396	33. Colo.	N.	161	33. Tenn.	E.	149
34. Mo.	W.	1,925	34. Ariz.	S.	1,499	34. Ariz.	S.	1,369	34. Ohio.	N.	148	34. Wis.	W.	149
35. Okla.	W.	1,896	35. Ga.	S.	1,435	35. Ga.	S.	1,332	35. Ala.	S.	147	35. Nebr.	N.	142
36. Ga.	M.	1,817	36. Fla.	S.	1,430	36. Fla.	S.	1,327	36. Tex.	E.	147	36. Mo.	E.	136
37. Ga.	S.	1,662	37. Okla.	W.	1,424	37. Okla.	W.	1,323	37. S. O.	E.	139	37. Calif.	S.	135
38. Mass.	M.	1,625	38. Mass.	E.	1,415	38. Ill.	E.	1,263	38. Ariz.	S.	135	38. Ind.	N.	131
39. N. C.	M.	1,539	39. Ill.	N.	1,398	39. Nebr.	S.	1,084	39. Ga.	S.	131	39. Mass.	S.	130
40. Ill.	E.	1,530	40. Ala.	N.	1,214	40. N. H.	S.	1,076	40. N. Y.	W.	127	40. Ohio.	S.	126
41. Pa.	M.	1,494	41. Pa.	M.	1,180	41. Ill.	S.	1,011	41. Calif.	N.	117	41. Miss.	N.	124
42. Pa.	E.	1,445	42. Pa.	E.	1,145	42. Pa.	E.	999	42. Calif.	S.	109	42. Ala.	N.	124
43. Ala.	N.	1,432	43. N. H.	S.	1,141	43. Ohio.	S.	978	43. Va.	E.	106	43. Colo.	N.	119
44. Idaho.	N.	1,332	44. Nebr.	S.	1,118	44. Miss.	N.	945	44. Mich.	W.	103	44. Okla.	N.	115
45. Nebr.	S.	1,329	45. Ill.	S.	1,041	45. Calif.	S.	922	45. Oreg.	N.	100	45. Texas.	N.	109
46. Ill.	S.	1,320	46. Idaho.	N.	1,037	46. Ala.	N.	917	46. R. I.	N.	100	46. Ark.	E.	105
47. Miss.	N.	1,254	47. Miss.	N.	1,015	47. Pa.	M.	895	47. Minn.	N.	96	47. Idaho.	N.	99
48. N. H.	S.	1,197	48. Calif.	S.	1,001	48. Idaho.	E.	868	48. N. Mex.	N.	96	48. N. C.	E.	99
49. Ohio.	S.	1,159	49. Ohio.	S.	994	49. N. O.	E.	839	49. Mo.	W.	93	49. S. Dak.	N.	96
50. Calif.	S.	1,147	50. N. C.	M.	974	50. Tex.	E.	819	50. Fla.	N.	81	50. Tex.	S.	86
51. Wis.	E.	1,110	51. Tex.	E.	913	51. Wis.	E.	819	51. Wis.	N.	79	51. Va.	W.	81
52. Tex.	E.	1,068	52. S. O.	W.	899	52. Okla.	N.	802	52. N. H.	E.	79	52. Ala.	S.	73
53. S. O.	W.	1,022	53. Wis.	E.	882	53. S. O.	W.	784	53. Wash.	E.	75	53. Ill.	S.	71
54. S. O.	E.	1,021	54. Okla.	N.	829	54. R. I.	W.	755	54. Miss.	N.	73	54. Tex.	W.	70
55. Okla.	N.	1,020	55. R. I.	N.	816	55. Va.	W.	734	55. Ind.	N.	67	55. Ind.	S.	68
56. R. I.	S.	854	56. Oreg.	W.	789	56. Oreg.	W.	696	56. Mo.	E.	60	56. S. C.	W.	59
57. Miss.	W.	826	57. Va.	W.	773	57. Mich.	S.	683	57. N. Y.	N.	59	57. Miss.	S.	56
58. Va.	W.	917	58. Mich.	S.	731	58. Miss.	S.	683	58. Ark.	W.	59	58. Oreg.	S.	55
59. N. Mex.	W.	846	59. Ala.	W.	722	59. Wis.	W.	675	59. W. Va.	N.	58	59. Pa.	M.	55
60. Oreg.	W.	845	60. Tenn.	W.	718	60. N. O.	M.	661	60. Utah.	N.	55	60. Ky.	W.	54
61. Mich.	W.	829	61. Miss.	S.	705	61. Nev.	W.	647	61. Vt.	N.	53	61. Nev.	N.	54
62. Wis.	W.	823	62. S. O.	E.	696	62. La.	W.	641	62. N. J.	N.	52	62. W. Va.	N.	46
63. Tenn.	W.	817	63. Wis.	W.	666	63. Ind.	S.	624	63. Del.	N.	50	63. Fla.	N.	46
64. Ala.	S.	813	64. Ind.	S.	666	64. Tenn.	W.	624	64. Ind.	W.	47	64. Ark.	W.	45
65. Colo.	W.	788	65. La.	W.	664	65. Ala.	S.	617	65. Va.	W.	46	65. Me.	N.	43
66. Nev.	W.	742	66. Nev.	S.	658	66. S. O.	E.	617	66. Nebr.	N.	46	66. N. Dak.	E.	42
67. S. Dak.	S.	740	67. Iowa.	S.	610	67. Iowa.	N.	574	67. Nev.	N.	46	67. Tenn.	W.	39
68. Ind.	W.	715	68. N. Mex.	N.	601	68. Iowa.	S.	574	68. Tenn.	N.	45	68. Va.	E.	39
69. La.	W.	708	69. Iowa.	N.	585	69. N. Mex.	S.	554	69. Okla.	N.	44	69. R. I.	N.	37
70. Iowa.	W.	642	70. Colo.	N.	555	70. S. Dak.	W.	498	70. La.	W.	42	70. Wash.	E.	37
71. Fla.	N.	627	71. S. Dak.	N.	511	71. Ark.	W.	468	71. W. Va.	S.	41	71. La.	E.	36

Numerical list—Total disposition of cases by districts, beginning fiscal year 1926, ending fiscal year 1929—Continued

State	Commenced		State	Convictions		State	Pleas		State	Trials		State	Pending 1929	
	District	Cases		District	Cases		District	Cases		District	Cases		District	Cases
72. Iowa	S	623	72. Ark	W	506	72. Me		448	72. Iowa	S	40	72. Utah		33
73. Ind	N	611	73. Me		459	73. Colo		443	73. Mass		37	73. N. Mex		30
74. Ark	W	599	74. Fla	N	443	74. Ind	N	389	74. Ill	S	35	74. Vt		30
75. Me		549	75. Ind	N	441	75. Fla	N	383	75. Wyo		34	75. Ala	M	29
76. Va	E	491	76. Wash	E	402	76. Va	E	350	76. Miss	S	30	76. N. H		24
77. Wash	E	482	77. Va	E	396	77. Wash	E	335	77. Wis	W	24	77. Tex	E	23
78. Conn		342	78. Conn		336	78. Conn		332	78. Ohio	S	20	78. Iowa	S	23
79. Del		298	79. Wyo		239	79. Wyo		231	79. S. Dak		15	79. Wyo		18
80. Utah		294	80. Del		232	80. Del		212	80. Ala	M	15	80. Iowa	N	18
81. Wyo		289	81. Ala	M	214	81. Ala	M	202	81. Me		14	81. La	W	16
82. Ala	M	245	82. Utah		176	82. Utah		139	82. Iowa	N	13	82. Mich	W	13
83. Vt		222	83. Vt		164	83. Vt		131	83. N. Dak		7	83. Kans		11
84. N. Dak		158	84. N. Dak		99	84. N. Dak		97	84. Conn		7	84. Del		4
85. Kans		47	85. Kans		37	85. Kans		84	85. Kans		5	85. Conn		2

Comparison of cases pending at beginning of fiscal year 1926 and at end of fiscal year 1929

State	District	1926	1929
Alabama	Northern	369	124
	Middle	95	29
	Southern	148	73
		612	226
Arizona		124	204
Arkansas	Eastern	150	105
	Western	105	45
		255	150
California	Northern	1,049	219
	Southern	433	135
		1,482	354
Colorado		106	119
Connecticut		15	2
Delaware		35	4
District of Columbia		649	1,300
Florida	Northern	47	46
	Southern	547	446
		594	492
Georgia	Northern	973	1,055
	Middle		202
	Southern	986	259
		1,959	1,516
Idaho		132	99
Illinois	Northern	254	525
	Eastern	72	71
	Southern	139	265
		465	861
Indiana	Northern	63	131
	Southern		68
		63	199
Iowa	Northern	91	18
	Southern	62	23
		153	41
Kansas		6	11
Kentucky	Eastern	768	261
	Western	781	54
		1,549	315
Louisiana	Eastern	904	36
	Western	59	16
		963	52
Maine		62	43
Maryland		597	156
Massachusetts		167	130
Michigan	Eastern	235	232
	Western	54	13
		289	245
Minnesota		198	310
Mississippi	Northern	127	124
	Southern	145	56
		272	180

Comparison of cases pending at beginning of fiscal year 1926 and at end of fiscal year 1929—Continued

State	District	1926	1929
Missouri	Eastern	102	136
	Western	155	197
		257	333
Montana		119	339
Nebraska		162	142
Nevada		176	54
New Hampshire		19	24
New Jersey		1,967	521
New Mexico		27	30
New York	Northern	902	806
	Eastern	1,294	807
	Southern	1,820	1,836
	Western	1,104	1,380
		5,270	4,829
North Carolina	Eastern	140	99
	Middle		387
	Western	933	321
		1,073	807
North Dakota		13	42
Ohio	Northern	352	299
	Southern	32	126
		384	425
Oklahoma	Northern	53	115
	Eastern	242	189
	Western	181	355
		476	659
Oregon		88	55
Pennsylvania	Eastern	396	183
	Middle	74	55
	Western	116	225
		586	463
Rhode Island		77	37
South Carolina	Eastern	428	472
	Western	127	59
		555	531
South Dakota		93	96
Tennessee	Eastern	252	149
	Middle	412	488
	Western	151	39
		815	676
Texas	Northern	76	109
	Eastern	47	23
	Southern	137	86
	Western	141	70
		401	288
Utah		40	33
Vermont		39	30
Virginia	Eastern	95	39
	Western	107	81
		202	120
Washington	Eastern	28	37
	Western	279	186
		307	223

Comparison of cases pending at beginning of fiscal year 1928 and at end of fiscal year 1929—Continued

State	District	1928	1929
West Virginia	Northern	195	46
	Southern	367	504
		562	550
Wisconsin	Eastern	40	171
	Western	88	149
		128	320
Wyoming		38	18

Disposition of cases in each State for period beginning fiscal year 1928 and ending fiscal year 1929

ALABAMA

	District	1928	1927	1928	1929	Total
Pending	Northern	369	282	139	122	
	Middle	95	87	56	71	
	Southern	148	101	70	107	
		612	470	265	300	
Commenced	Northern	548	261	322	301	1,432
	Middle	163	18	37	27	245
	Southern	138	191	274	210	813
		849	470	633	538	2,490
Terminated	Northern	635	273	339	299	1,546
	Middle	171	49	22	60	311
	Southern	185	222	237	244	888
		991	544	598	612	2,745
Convictions	Northern	461	216	273	264	1,214
	Middle	136	28	11	39	214
	Southern	129	174	227	201	731
		726	418	511	504	2,159
Acquittals	Northern	66	30	37	15	148
	Middle	5	2	2	2	11
	Southern	11	15	6	7	39
		82	47	45	24	198
Pleas	Northern	327	156	212	222	917
	Middle	135	18	10	39	202
	Southern	99	145	199	180	623
		561	319	421	441	1,742
Trials	Northern	193	90	98	57	438
	Middle	1	10	2	2	15
	Southern	41	44	34	28	147
		235	144	134	87	600
Pending	Northern	282	270	122	124	
	Middle	87	56	71	29	
	Southern	101	70	107	73	
		470	396	300	226	

ARIZONA

Pending	124	148	268	146	
Commenced	593	540	423	438	1,994
Terminated	569	420	545	380	1,914
Convictions	467	345	354	333	1,499
Acquittals	10	4	9	2	25
Pleas	428	316	326	299	1,369
Trials	33	30	37	35	135
Pending	148	268	146	204	

ARKANSAS

Pending	Eastern	150	176	227	108	
	Western	105	64	62	88	
		255	240	289	146	
Commenced	Eastern	552	633	324	590	2,099
	Western	185	99	99	216	599
		737	732	423	806	2,698
Terminated	Eastern	536	581	443	593	2,153
	Western	226	101	123	209	659
		762	682	566	802	2,812
Convictions	Eastern	416	475	318	482	1,691
	Western	154	79	98	175	506
		570	554	416	657	2,197

Disposition of cases in each State for period beginning fiscal year 1928 and ending fiscal year 1929—Continued

ARKANSAS—continued

	District	1926	1927	1928	1929	Total
Acquittals	Eastern	33	13	21	19	86
	Western	8	1	3	9	21
		41	14	24	28	107
Pleas	Eastern	360	438	290	456	1,544
	Western	147	71	91	159	468
		507	509	381	615	2,012
Trials	Eastern	94	50	49	45	238
	Western	15	9	10	25	59
		109	59	59	70	297
Pending	Eastern	166	228	108	105	
	Western	64	62	38	45	
		230	290	146	150	

CALIFORNIA

Pending	Northern	1,049	224	183	288	
	Southern	433	382	133	179	
		1,482	606	316	467	
Commenced	Northern	749	656	729	1,139	3,273
	Southern	380	276	302	189	1,147
		1,129	932	1,031	1,328	4,420
Terminated	Northern	1,574	697	624	1,208	4,103
	Southern	431	525	256	233	1,445
		2,005	1,222	880	1,441	5,548
Convictions	Northern	880	509	479	634	2,802
	Southern	326	282	205	188	1,001
		1,206	791	684	1,122	3,803
Acquittals	Northern	20	2	6	11	39
	Southern	8	8	8	6	30
		28	10	14	17	69
Pleas	Northern	834	498	471	921	2,724
	Southern	299	260	184	179	922
		1,133	758	655	1,100	3,646
Trials	Northern	66	13	14	24	117
	Southern	35	30	29	15	109
		101	43	43	39	226
Pending	Northern	224	183	288	219	
	Southern	382	133	179	135	
		606	316	467	354	

COLORADO

Pending	106	62	75	136	
Commenced	196	138	254	200	788
Terminated	240	125	193	217	775
Convictions	161	102	134	158	555
Acquittals	18	6	11	12	50
Pleas	129	85	102	127	443
Trials	50	23	43	45	161
Pending	62	75	136	119	

CONNECTICUT

Pending	15	12	13	9	
Commenced	53	64	102	133	342
Terminated	56	53	106	140	355
Convictions	51	52	102	131	336
Acquittals	1	0	2	0	3
Pleas	49	50	102	131	332
Trials	3	2	2	0	7
Pending	12	13	9	2	

DELAWARE

Pending	35	14	36	10	
Commenced	57	70	111	60	298
Terminated	78	48	137	66	329
Convictions	55	37	95	47	232
Acquittals	3	3	9	13	28
Pleas	53	37	84	38	212
Trials	5	3	20	22	50
Pending	14	36	10	4	

Disposition of cases in each State for period beginning fiscal year 1926 and ending fiscal year 1929—Continued

DISTRICT OF COLUMBIA

	District	1926	1927	1928	1929	Total
Pending.....		649	699	1,162	991	.....
Commenced.....		1,819	2,182	2,630	1,661	8,292
Terminated.....		1,769	1,729	2,781	1,352	7,631
Convictions.....		1,512	1,299	1,898	822	5,531
Acquittals.....		71	61	63	68	263
Pleas.....		1,314	658	1,716	407	4,095
Trials.....		269	702	245	167	1,383
Pending.....		699	1,152	1,011	1,300	.....

FLORIDA

Pending.....	Northern.....	47	48	67	65	.....
	Southern.....	547	699	430	601	.....
		594	747	497	666	.....
Commenced.....	Northern.....	102	185	198	142	627
	Southern.....	515	295	600	794	2,204
		617	480	798	936	2,831
Terminated.....	Northern.....	101	166	200	161	628
	Southern.....	390	564	430	949	2,233
		491	730	630	1,110	2,961
Convictions.....	Northern.....	74	128	139	102	443
	Southern.....	304	171	261	694	1,430
		378	299	400	796	1,873
Acquittals.....	Northern.....	2	3	4	13	22
	Southern.....	20	36	61	19	136
		22	39	65	32	158
Pleas.....	Northern.....	70	117	131	65	383
	Southern.....	287	150	216	674	1,327
		357	267	347	739	1,710
Trials.....	Northern.....	6	11	12	52	81
	Southern.....	37	56	106	39	238
		43	67	118	91	319
Pending.....	Northern.....	48	67	65	46	.....
	Southern.....	699	430	600	446	.....
		747	497	665	492	.....

GEORGIA

Pending.....	Northern.....	973	857	991	815	.....
	Middle.....	.....	627	467	160	.....
	Southern.....	986	813	663	501	.....
		1,959	2,297	2,121	1,476	.....
Commenced.....	Northern.....	490	621	881	1,390	3,382
	Middle.....	.....	249	739	829	1,817
	Southern.....	655	275	363	369	1,662
		1,145	1,145	1,983	2,588	6,861
Terminated.....	Northern.....	608	487	1,057	1,150	3,300
	Middle.....	.....	409	1,046	787	2,242
	Southern.....	463	411	525	611	2,010
		1,069	1,307	2,628	2,548	7,552
Convictions.....	Northern.....	440	216	861	990	2,507
	Middle.....	.....	232	741	709	1,682
	Southern.....	406	335	346	348	1,435
		846	783	1,948	2,047	5,624
Acquittals.....	Northern.....	73	12	58	47	190
	Middle.....	.....	44	38	48	130
	Southern.....	13	9	5	3	30
		86	65	101	98	350
Pleas.....	Northern.....	345	190	746	911	2,192
	Middle.....	.....	184	641	650	1,475
	Southern.....	369	312	322	329	1,332
		714	685	1,709	1,890	4,999
Trials.....	Northern.....	168	38	173	126	505
	Middle.....	.....	92	138	107	337
	Southern.....	50	31	28	22	131
		218	161	339	255	973
Pending.....	Northern.....	857	991	815	1,055	.....
	Middle.....	.....	467	160	202	.....
	Southern.....	1,178	677	501	259	.....
		2,035	2,135	1,476	1,516	.....

Disposition of cases in each State for period beginning fiscal year 1926 and ending fiscal year 1929—Continued

IDAHO

	District	1926	1927	1928	1929	Total
Pending.....		132	179	148	120	.....
Commenced.....		349	323	321	339	1,332
Terminated.....		307	354	349	360	1,370
Convictions.....		265	194	284	294	1,037
Acquittals.....		2	7	7	9	25
Pleas.....		221	158	235	254	868
Trials.....		46	43	56	49	194
Pending.....		174	148	120	99	.....

ILLINOIS

Pending.....	Northern.....	254	140	362	490	.....
	Eastern.....	72	65	55	76	.....
	Southern.....	139	61	211	108	.....
		465	266	628	674	.....
Commenced.....	Northern.....	347	496	894	1,429	3,166
	Eastern.....	260	379	341	550	1,530
	Southern.....	260	396	191	473	1,320
		867	1,271	1,426	2,452	6,016
Terminated.....	Northern.....	461	274	765	1,394	2,894
	Eastern.....	267	389	320	555	1,531
	Southern.....	338	246	294	316	1,194
		1,066	909	1,379	2,265	5,619
Convictions.....	Northern.....	339	242	633	1,214	2,428
	Eastern.....	216	352	300	530	1,398
	Southern.....	281	220	255	285	1,041
		836	814	1,183	2,029	4,867
Acquittals.....	Northern.....	22	12	17	36	87
	Eastern.....	12	9	5	3	29
	Southern.....	0	0	3	2	5
		34	21	25	41	121
Pleas.....	Northern.....	282	196	576	1,022	2,076
	Eastern.....	203	318	276	466	1,263
	Southern.....	270	217	245	279	1,011
		755	731	1,097	1,767	4,350
Trials.....	Northern.....	79	58	36	21	194
	Eastern.....	25	43	29	67	164
	Southern.....	11	3	13	8	35
		115	104	78	96	393
Pending.....	Northern.....	140	362	491	525	.....
	Eastern.....	65	55	76	71	.....
	Southern.....	61	211	108	265	.....
		266	628	675	861	.....

INDIANA

Pending.....	Northern.....	63	71	42	129	.....
	Southern.....	.....	.....	78	66	.....
		63	71	120	195	.....
Commenced.....	Northern.....	147	140	91	233	611
	Southern.....	.....	.....	459	256	715
		147	140	550	489	1,326
Terminated.....	Northern.....	139	133	6	231	509
	Southern.....	.....	.....	471	254	725
		139	133	477	485	1,234
Convictions.....	Northern.....	132	115	5	189	441
	Southern.....	.....	.....	418	248	661
		.....	.....	423	437	1,107
Acquittals.....	Northern.....	3	0	1	5	9
	Southern.....	.....	.....	2	3	5
		.....	.....	3	8	14
Pleas.....	Northern.....	116	102	5	166	389
	Southern.....	.....	.....	394	230	624
		.....	.....	399	396	1,013
Trials.....	Northern.....	19	13	1	34	67
	Southern.....	.....	.....	26	21	47
		.....	.....	27	55	114
Pending.....	Northern.....	71	78	127	131	.....
	Southern.....	.....	.....	66	68	.....
		.....	.....	193	109	.....

Disposition of cases in each State for period beginning fiscal year 1926 and ending fiscal year 1929—Continued

IOWA

	District	1926	1927	1928	1929	Total
Pending	Northern	91	92	67	40	
	Southern	62	45	69	30	
		153	137	136	70	
Commenced	Northern	146	183	211	102	642
	Southern	191	156	146	130	623
		337	339	357	232	1,265
Terminated	Northern	145	208	238	124	715
	Southern	208	132	185	137	662
		353	340	423	261	1,377
Convictions	Northern	141	163	191	90	585
	Southern	183	126	175	125	610
		324	289	366	216	1,195
Acquittals	Northern	0	0	1	3	4
	Southern	1	1	3	0	5
		1	1	4	3	9
Pleas	Northern	139	161	190	86	576
	Southern	175	116	163	120	574
		314	277	353	206	1,150
Trials	Northern	2	2	2	7	13
	Southern	9	10	15	6	40
		11	12	17	13	53
Pending	Northern	92	67	40	18	
	Southern	45	69	30	23	
		137	136	70	41	

KANSAS

Pending	6	6	3	11	
Commenced	4	1	14	28	47
Terminated	4	4	6	28	42
Convicted	4	2	6	25	37
Acquittals	0	0	0	1	1
Pleas	3	2	4	25	34
Trials	2	0	2	1	5
Pending	6	3	11	11	

KENTUCKY

Pending	Eastern	768	456	944	325	
	Western	781	499	136	73	
		1,549	955	1,080	398	
Commenced	Eastern	2,528	2,154	2,980	2,945	10,607
	Western	1,241	553	710	717	3,221
		3,769	2,707	3,690	3,662	13,828
Terminated	Eastern	2,840	1,666	3,599	3,009	11,114
	Western	1,523	916	773	736	3,948
		4,363	2,582	4,372	3,745	15,062
Convictions	Eastern	2,119	1,351	3,028	2,684	9,182
	Western	1,086	650	600	607	2,943
		3,205	2,001	3,628	3,291	12,125
Acquittals	Eastern	19	24	256	300	599
	Western	104	46	28	21	199
		123	70	284	321	798
Pleas	Eastern	1,994	1,198	2,404	2,000	7,596
	Western	895	535	535	525	2,490
		2,889	1,733	2,939	2,525	10,086
Trials	Eastern	144	177	880	984	2,185
	Western	295	161	93	103	652
		439	338	973	1,087	2,837
Pending	Eastern	456	944	325	261	
	Western	499	136	73	54	
		955	1,080	398	315	

LOUISIANA

Pending	Eastern	904	102	34	9	
	Western	59	10	27	23	
		963	112	61	32	

Disposition of cases in each State for period beginning fiscal year 1926 and ending fiscal year 1929—Continued

LOUISIANA—continued

	District	1926	1927	1928	1929	Total
Commenced	Eastern	434	922	1,075	767	3,198
	Western	159	155	257	137	708
		593	1,077	1,332	904	3,906
Terminated	Eastern	1,236	990	1,100	740	4,066
	Western	208	138	261	144	751
		1,444	1,128	1,361	884	4,817
Convictions	Eastern	1,061	914	1,028	682	3,685
	Western	170	129	238	127	664
		1,231	1,043	1,266	809	4,349
Acquittals	Eastern	25	14	17	20	76
	Western	4	3	8	4	19
		29	17	25	24	95
Pleas	Eastern	1,028	897	1,017	656	3,598
	Western	167	123	227	124	641
		1,195	1,020	1,244	780	4,239
Trials	Eastern	58	31	28	46	163
	Western	7	9	19	7	42
		65	40	47	53	205
Pending	Eastern	102	34	9	36	
	Western	10	27	23	16	
		112	61	32	52	

MAINE

Pending	62	47	50	30	
Commenced	166	85	140	149	540
Terminated	181	82	160	136	559
Convictions	137	70	134	118	459
Acquittals	1	0	0	2	3
Pleas	135	69	130	114	448
Trials	3	1	4	6	14
Pending	47	50	30	43	

MARYLAND

Pending	597	881	930	329	
Commenced	1,385	1,021	1,387	1,234	5,027
Terminated	1,101	972	1,988	1,407	5,468
Convictions	1,013	878	1,500	1,251	4,642
Acquittals	8	7	10	16	41
Pleas	995	852	1,442	1,190	4,479
Trials	26	33	68	77	204
Pending	881	930	329	156	

MASSACHUSETTS

Pending	167	134	161	179	
Commenced	378	414	419	414	1,625
Terminated	411	387	401	463	1,662
Convictions	337	354	343	420	1,454
Acquittals	6	4	5	2	17
Pleas	312	336	325	413	1,386
Trials	10	8	10	9	37
Pending	134	161	179	130	

MICHIGAN

Pending	Eastern	235	169	195	217	
	Western	54	25	34	19	
		289	194	229	236	
Commenced	Eastern	780	1,040	1,190	1,214	4,224
	Western	222	172	207	228	829
		1,002	1,212	1,397	1,442	5,053
Terminated	Eastern	846	1,015	1,168	1,199	4,228
	Western	251	163	222	234	870
		1,097	1,178	1,390	1,433	5,098
Convictions	Eastern	753	903	1,068	1,118	3,872
	Western	209	148	206	210	773
		962	1,051	1,304	1,328	4,645
Acquittals	Eastern	7	14	12	17	50
	Western	4	1	5	2	12
		11	15	17	19	62
Pleas	Eastern	731	846	1,033	1,067	3,677
	Western	178	128	184	193	683
		909	974	1,217	1,260	4,360

Disposition of cases in each State for period beginning fiscal year 1926 and ending fiscal year 1929—Continued

MICHIGAN—continued

	District	1926	1927	1928	1929	Total
Trials.....	Eastern.....	53	71	77	68	269
	Western.....	35	22	27	19	103
		88	93	104	87	372
Pending.....	Eastern.....	169	194	217	232	
	Western.....	25	34	19	13	
		194	228	236	245	

MINNESOTA

Pending.....	198	183	170	192	
Commenced.....	609	395	1,159	1,420	3,583
Terminated.....	655	408	1,137	1,302	3,502
Convictions.....	558	371	1,017	1,180	3,126
Acquittals.....	7	4	3	6	20
Pleas.....	543	361	1,002	1,152	3,058
Trials.....	22	17	17	40	96
Pending.....	152	170	192	310	

MISSISSIPPI

Pending.....	Northern.....	127	123	112	101	
	Southern.....	145	92	87	115	
		272	215	199	216	
Commenced.....	Northern.....	175	285	402	392	1,254
	Southern.....	149	201	401	175	926
		324	486	803	567	2,180
Terminated.....	Northern.....	185	296	413	369	1,263
	Southern.....	202	206	367	234	1,009
		387	502	780	603	2,272
Convictions.....	Northern.....	160	175	355	325	1,015
	Southern.....	137	162	270	149	718
		297	337	625	474	1,733
Acquittals.....	Northern.....	1	6	8	5	20
	Southern.....	1	1	4	9	15
		2	7	12	14	35
Pleas.....	Northern.....	182	154	336	303	945
	Southern.....	136	159	243	145	683
		288	313	579	448	1,628
Trials.....	Northern.....	9	13	24	27	73
	Southern.....	2	4	11	13	30
		11	17	35	40	103
Pending.....	Northern.....	117	112	101	124	
	Southern.....	92	87	121	56	
		209	199	222	180	

MISSOURI

Pending.....	Eastern.....	102	152	53	143	
	Western.....	155	132	55	155	
		257	284	108	298	
Commenced.....	Eastern.....	621	579	985	825	3,010
	Western.....	500	260	475	690	1,925
		1,121	839	1,460	1,515	4,935
Terminated.....	Eastern.....	571	678	895	832	2,976
	Western.....	523	337	478	648	1,986
		1,094	1,015	1,373	1,480	4,962
Convictions.....	Eastern.....	531	628	853	798	2,810
	Western.....	358	272	455	577	1,662
		889	900	1,308	1,375	4,472
Acquittals.....	Eastern.....	7	2	4	3	16
	Western.....	3	2	1	8	14
		10	4	5	11	30
Pleas.....	Eastern.....	522	609	841	790	2,762
	Western.....	338	260	434	555	1,587
		860	869	1,275	1,345	4,349
Trials.....	Eastern.....	16	21	12	11	60
	Western.....	22	15	26	30	93
		38	36	38	41	153
Pending.....	Eastern.....	152	53	143	136	
	Western.....	132	55	52	197	
		284	108	195	333	

Disposition of cases in each State for period beginning fiscal year 1926 and ending fiscal year 1929—Continued

MONTANA

	District	1926	1927	1928	1929	Total
Pending.....		119	127	225	245	
Commenced.....		409	356	728	1,126	2,619
Terminated.....		401	258	708	1,032	2,399
Convictions.....		320	206	663	989	2,178
Acquittals.....		18	4	13	14	49
Pleas.....		271	192	609	922	1,994
Trials.....		67	18	64	81	230
Pending.....		127	225	245	339	

NEBRASKA

Pending.....	162	121	84	147	
Commenced.....	276	341	504	208	1,329
Terminated.....	317	378	441	213	1,349
Convictions.....	278	317	356	167	1,118
Acquittals.....	5	4	1	2	12
Pleas.....	266	308	350	160	1,084
Trials.....	17	13	7	9	46
Pending.....	121	84	147	142	

NEVADA

Pending.....	176	205	141	66	
Commenced.....	343	147	100	152	742
Terminated.....	254	271	178	164	867
Convictions.....	232	173	122	131	658
Acquittals.....	3	5	6	1	15
Pleas.....	244	157	116	130	647
Trials.....	11	21	12	2	46
Pending.....	265	141	63	54	

NEW HAMPSHIRE

Pending.....	19	24	6	11	
Commenced.....	267	264	347	319	1,197
Terminated.....	262	287	342	306	1,197
Convictions.....	252	262	330	297	1,141
Acquittals.....	3	4	6	1	14
Pleas.....	237	245	314	280	1,076
Trials.....	18	21	22	18	79
Pending.....	24	6	11	24	

NEW JERSEY

Pending.....	1,967	380	348	488	
Commenced.....	682	225	486	822	2,215
Terminated.....	2,269	307	346	789	3,711
Convictions.....	844	174	251	623	1,892
Acquittals.....	10	4	4	2	20
Pleas.....	829	172	240	619	1,860
Trials.....	25	6	15	6	52
Pending.....	380	348	488	521	

NEW MEXICO

Pending.....	27	48	15	37	
Commenced.....	224	193	179	250	846
Terminated.....	203	226	157	257	843
Convicted.....	151	161	122	167	601
Acquittals.....	13	10	13	13	49
Pleas.....	140	151	111	152	554
Trials.....	24	20	24	28	96
Pending.....	48	15	37	30	

NEW YORK

Pending.....	Northern.....	992	1,093	980	1,097	
	Eastern.....	1,294	1,538	1,532	912	
	Southern.....	1,820	771	864	1,721	
	Western.....	1,164	1,773	972	888	
		5,270	5,175	4,348	4,618	
Commenced.....	Northern.....	1,942	1,765	1,975	2,295	7,977
	Eastern.....	2,490	2,208	2,074	2,220	8,992
	Southern.....	2,517	1,388	8,823	7,816	20,544
	Western.....	1,492	1,487	918	1,489	5,386
		8,441	6,848	13,790	13,820	42,899
Terminated.....	Northern.....	1,840	1,858	1,858	2,586	8,142
	Eastern.....	2,246	2,214	2,714	2,325	9,499
	Southern.....	3,566	1,295	7,966	7,701	20,528
	Western.....	883	2,288	1,002	997	5,170
		8,535	7,655	13,540	13,609	43,339
Convictions.....	Northern.....	1,620	1,560	1,718	1,838	6,736
	Eastern.....	2,051	1,932	2,238	1,872	8,093
	Southern.....	1,854	810	7,453	6,686	16,803
	Western.....	569	1,217	491	616	2,893
		6,094	5,519	11,900	11,012	34,525
Acquittals.....	Northern.....	1	4	3	5	13
	Eastern.....	44	48	51	88	231
	Southern.....	23	18	20	8	69
	Western.....	8	24	7	10	49
		76	94	81	111	362

Disposition of cases in each State for period beginning fiscal year 1926 and ending fiscal year 1929—Continued

NEW YORK—continued

	District	1926	1927	1928	1929	Total
Pleas.....	Northern.....	1,614	1,548	1,706	1,822	6,690
	Eastern.....	1,996	1,881	2,208	1,808	7,893
	Southern.....	1,845	787	7,439	6,676	16,747
	Western.....	547	1,191	474	605	2,817
		6,002	5,407	11,827	10,911	34,147
Trials.....	Northern.....	7	16	16	21	60
	Eastern.....	99	99	94	152	444
	Southern.....	44	63	50	27	184
	Western.....	30	52	24	21	127
		180	230	184	221	815
Pending.....	Northern.....	1,094	1,000	1,097	806	4,000
	Eastern.....	1,538	1,552	892	807	4,790
	Southern.....	771	864	1,721	1,836	5,192
	Western.....	1,773	972	888	1,380	4,913
		5,176	4,388	4,598	4,829	19,000

NORTH CAROLINA

Pending.....	Eastern.....	140	131	90	96	457
	Middle.....		0	305	334	639
	Western.....	933	955	764	632	3,284
		1,073	1,086	1,159	1,062	4,380
						4,380
Commenced.....	Eastern.....	457	380	476	757	2,070
	Middle.....		325	572	642	1,539
	Western.....	1,157	679	466	393	2,695
		1,614	1,384	1,514	1,792	6,304
						6,304
Terminated.....	Eastern.....	466	421	470	754	2,111
	Middle.....		20	543	589	1,152
	Western.....	1,135	870	598	704	3,307
		1,601	1,311	1,611	2,047	6,570
						6,570
Convictions.....	Eastern.....	314	305	358	619	1,596
	Middle.....		16	458	500	974
	Western.....	872	461	409	454	2,196
		1,186	782	1,225	1,573	4,766
						4,766
Acquittals.....	Eastern.....	82	53	67	73	275
	Middle.....		2	41	33	76
	Western.....	49	28	28	34	139
		131	83	136	140	490
						490
Pleas.....	Eastern.....	211	117	147	364	839
	Middle.....		7	331	323	661
	Western.....	684	364	273	307	1,628
		895	488	751	994	3,128
						3,128
Trials.....	Eastern.....	185	241	278	328	1,032
	Middle.....		11	168	210	389
	Western.....	237	125	164	181	707
		422	377	610	719	2,128
						2,128
Pending.....	Eastern.....	131	90	96	99	416
	Middle.....		305	334	387	1,026
	Western.....	955	764	632	321	2,672
		1,086	1,159	1,062	807	4,114
						4,114

NORTH DAKOTA

Pending.....	13	25	28	39	105
Commenced.....	45	15	58	40	158
Terminated.....	33	13	47	37	130
Convictions.....	30	12	35	22	99
Acquittals.....	0	0	1	4	5
Pleas.....	30	12	33	22	97
Trials.....	0	0	3	4	7
Pending.....	25	27	39	42	133

OHIO

Pending.....	Northern.....	352	304	296	298	1,250
	Southern.....	32	40	32	67	171
		384	344	328	365	1,421
						1,421
						1,421
Commenced.....	Northern.....	1,011	699	743	839	3,292
	Southern.....	198	228	398	335	1,159
		1,209	927	1,141	1,174	4,451
						4,451
						4,451
Terminated.....	Northern.....	1,059	707	741	838	3,345
	Southern.....	190	236	363	276	1,065
		1,249	943	1,104	1,114	4,410
						4,410
						4,410
Convictions.....	Northern.....	955	622	706	760	3,043
	Southern.....	178	220	342	254	994
		1,133	842	1,048	1,014	4,037
						4,037
						4,037

Disposition of cases in each State for period beginning fiscal year 1926 and ending fiscal year 1929—Continued

OHIO—continued

	District	1926	1927	1928	1929	Total
Acquittals.....	Northern.....	3	2	8	2	15
	Southern.....	1	0	2	1	4
		4	2	10	3	19
						19
						19
Pleas.....	Northern.....	908	571	686	745	2,910
	Southern.....	176	216	335	251	978
		1,084	787	1,021	996	3,888
						3,888
						3,888
Trials.....	Northern.....	50	53	23	17	143
	Southern.....	3	4	9	4	20
		53	57	37	21	168
						168
						168
Pending.....	Northern.....	304	296	298	299	1,297
	Southern.....	40	32	67	126	265
		344	328	365	425	1,462
						1,462
						1,462

OKLAHOMA

Pending.....	Northern.....	53	79	145	108	385
	Eastern.....	242	307	273	132	954
	Western.....	181	218	308	323	1,030
		476	604	726	563	2,369
						2,369
Commenced.....	Northern.....	276	234	279	231	1,020
	Eastern.....	736	916	915	819	3,386
	Western.....	482	434	474	506	1,896
		1,494	1,584	1,668	1,556	6,302
						6,302
Terminated.....	Northern.....	250	168	316	224	958
	Eastern.....	671	950	1,056	762	3,439
	Western.....	445	344	459	474	1,722
		1,366	1,462	1,831	1,460	6,119
						6,119
Convictions.....	Northern.....	206	155	269	199	829
	Eastern.....	630	915	1,017	725	3,287
	Western.....	353	278	409	384	1,424
		1,189	1,348	1,695	1,308	5,540
						5,540
Acquittals.....	Northern.....	12	0	5	2	19
	Eastern.....	6	8	9	6	29
	Western.....	16	10	9	40	75
		34	18	23	48	123
						123
Pleas.....	Northern.....	189	153	263	197	802
	Eastern.....	592	842	976	676	3,086
	Western.....	320	272	388	343	1,323
		1,101	1,267	1,627	1,216	5,211
						5,211
Trials.....	Northern.....	27	2	11	4	44
	Eastern.....	44	81	50	55	230
	Western.....	49	16	30	81	176
		120	99	91	140	450
						450
Pending.....	Northern.....	79	145	108	115	447
	Eastern.....	307	273	132	189	901
	Western.....	218	308	323	355	1,204
		604	726	563	659	2,552
						2,552

OREGON

Pending.....	88	81	79	50	398
Commenced.....	201	256	235	153	845
Terminated.....	208	256	204	148	816
Convictions.....	183	229	237	140	789
Acquittals.....	3	3	1	3	10
Pleas.....	147	207	214	128	696
Trials.....	39	21	25	15	100
Pending.....	81	81	50	55	267

PENNSYLVANIA

Pending.....	Eastern.....	396	356	154	112	1,018
	Middle.....	74	68	54	29	225
	Western.....	116	247	546	283	1,192
		586	671	754	424	2,435
						2,435
Commenced.....	Eastern.....	226	110	381	728	1,445
	Middle.....	364	331	353	446	1,494
	Western.....	1,050	1,606	1,124	1,024	4,804
		1,640	2,047	1,858	2,198	7,743
						7,743
Terminated.....	Eastern.....	276	312	423	657	1,668
	Middle.....	370	345	378	420	1,513
	Western.....	967	1,307	1,387	1,082	4,743
		1,613	1,964	2,188	2,159	7,924
						7,924

Disposition of cases in each State for period beginning fiscal year 1926 and ending fiscal year 1929—Continued

PENNSYLVANIA—continued

	District	1926	1927	1928	1929	Total
Convictions.....	Eastern.....	143	147	289	566	1,145
	Middle.....	280	280	274	346	1,180
	Western.....	916	1,230	1,168	895	4,209
		1,339	1,657	1,731	1,807	6,534
Acquittals.....	Eastern.....	16	31	35	49	131
	Middle.....	12	23	32	28	95
	Western.....	20	10	46	28	104
		48	64	113	105	330
Pleas.....	Eastern.....	122	135	238	504	999
	Middle.....	279	211	167	238	895
	Western.....	882	1,217	1,122	848	4,069
		1,283	1,563	1,527	1,590	5,963
Trials.....	Eastern.....	33	43	91	111	278
	Middle.....	13	92	139	136	380
	Western.....	54	23	92	75	244
		100	158	322	322	902
Pending.....	Eastern.....	346	154	112	183	795
	Middle.....	68	54	29	55	206
	Western.....	199	546	283	225	1,253
		613	754	424	463	2,254

RHODE ISLAND

Pending.....	77	54	116	55	302
Commenced.....	281	245	163	265	954
Terminated.....	303	183	224	283	993
Convictions.....	298	160	186	202	846
Acquittals.....	11	6	4	6	27
Pleas.....	245	144	175	191	755
Trials.....	38	24	21	17	100
Pending.....	55	116	55	37	263

SOUTH CAROLINA

Pending.....	Eastern.....	428	364	338	346	1,476
	Western.....	127	87	77	63	354
		555	451	415	409	1,830
		319	122	165	415	1,021
Commenced.....	Eastern.....	339	212	243	228	1,022
	Western.....	658	334	408	643	2,043
		383	148	157	289	977
		379	222	257	232	1,090
Terminated.....	Eastern.....	762	370	414	521	2,067
	Western.....	283	107	84	231	705
		307	175	219	198	899
		590	282	303	429	1,604
Convictions.....	Eastern.....	19	7	13	12	51
	Western.....	43	17	17	20	97
		62	24	30	32	148
		252	90	64	211	617
Acquittals.....	Eastern.....	269	139	199	177	784
	Western.....	521	229	263	388	1,401
		50	24	33	32	139
		81	53	37	41	212
Pleas.....	Eastern.....	131	77	70	73	351
	Western.....	364	338	346	472	1,520
		87	77	63	59	286
		451	415	409	531	1,806
Trials.....	Eastern.....	50	24	33	32	139
	Western.....	81	53	37	41	212
		131	77	70	73	351
		364	338	346	472	1,520
Pending.....	Eastern.....	87	77	63	59	286
	Western.....	451	415	409	531	1,806
		538	492	472	590	1,992
		451	415	409	531	1,806

SOUTH DAKOTA

Pending.....	98	212	103	113	526
Commenced.....	269	98	170	203	740
Terminated.....	150	207	160	220	737
Convictions.....	148	102	118	143	511
Acquittals.....	0	0	1	1	2
Pleas.....	143	101	114	140	498
Trials.....	5	1	5	4	15
Pending.....	212	103	113	96	524

TENNESSEE

Pending.....	Eastern.....	282	281	278	295	1,136
	Middle.....	412	322	478	354	1,566
	Western.....	151	39	26	52	268
		845	642	782	701	2,970

Disposition of cases in each State for period beginning fiscal year 1926 and ending fiscal year 1929—Continued

TENNESSEE—continued

	District	1926	1927	1928	1929	Total
Commenced.....	Eastern.....	945	518	698	693	2,854
	Middle.....	608	667	449	506	2,230
	Western.....	224	134	251	208	817
		1,777	1,319	1,398	1,407	5,901
Terminated.....	Eastern.....	916	521	681	839	2,957
	Middle.....	698	511	573	372	2,154
	Western.....	336	147	225	221	929
		1,950	1,179	1,479	1,432	6,040
Convictions.....	Eastern.....	770	410	568	702	2,450
	Middle.....	571	437	485	323	1,816
	Western.....	242	111	188	181	722
		1,583	958	1,241	1,206	4,988
Acquittals.....	Eastern.....	50	34	40	50	174
	Middle.....	34	22	40	19	115
	Western.....	3	3	8	5	19
		87	59	88	74	308
Pleas.....	Eastern.....	665	337	470	621	2,093
	Middle.....	493	380	395	265	1,533
	Western.....	231	109	109	175	624
		1,389	826	974	1,061	4,250
Trials.....	Eastern.....	157	107	138	131	533
	Middle.....	112	79	130	77	398
	Western.....	14	5	15	11	45
		283	191	283	219	976
Pending.....	Eastern.....	281	278	295	149	1,003
	Middle.....	322	478	354	488	1,642
	Western.....	39	26	52	39	156
		642	782	701	676	2,801

TEXAS

Pending.....	Northern.....	76	45	99	100	320
	Eastern.....	47	26	31	31	135
	Southern.....	137	77	74	69	357
	Western.....	141	121	90	90	442
Commenced.....	Northern.....	401	269	294	290	1,254
	Eastern.....	303	760	1,205	834	3,102
	Southern.....	164	183	351	370	1,068
	Western.....	442	505	541	646	2,134
Terminated.....	Northern.....	791	728	827	712	3,058
	Eastern.....	1,700	2,176	2,924	2,562	9,362
	Southern.....	334	707	1,204	825	3,070
	Western.....	185	178	351	378	1,092
Convictions.....	Northern.....	502	508	546	629	2,185
	Eastern.....	811	759	827	732	3,129
	Southern.....	1,832	2,152	2,928	2,564	9,476
	Western.....	262	627	1,052	751	2,692
Acquittals.....	Northern.....	161	150	289	313	913
	Eastern.....	390	436	489	562	1,877
	Southern.....	672	652	769	677	2,770
	Western.....	1,485	1,865	2,599	2,303	8,252
Pleas.....	Northern.....	6	15	24	6	51
	Eastern.....	6	13	12	22	53
	Southern.....	31	19	20	24	94
	Western.....	28	24	7	11	70
Trials.....	Northern.....	71	71	63	63	268
	Eastern.....	221	578	977	692	2,468
	Southern.....	142	133	262	282	819
	Western.....	320	385	465	493	1,663
Pending.....	Northern.....	630	616	731	650	2,627
	Eastern.....	1,313	1,712	2,435	2,117	7,577
	Southern.....	47	64	99	65	275
	Western.....	25	30	39	53	147
Commenced.....	Northern.....	101	70	44	93	308
	Eastern.....	70	36	38	38	182
	Southern.....	243	200	220	249	912
	Western.....	45	98	100	109	352
Terminated.....	Northern.....	26	31	31	23	111
	Eastern.....	77	74	69	86	296
	Southern.....	121	90	90	70	371
	Western.....	269	293	290	288	1,140

UTAH

Pending.....	40	18	17	48	123
Commenced.....	64	45	122	63	294
Terminated.....	86	46	91	78	301

Disposition of cases in each State for period beginning fiscal year 1926 and ending fiscal year 1929—Continued
UTAH—continued

	District	1926	1927	1928	1929	Total
Pending.....		44	30	57	45	176
Acquittals.....		6	2	6	4	18
Pleas.....		33	22	49	35	139
Trials.....		17	10	14	14	55
Pending.....		18	17	48	33	

VERMONT

Pending.....		39	21	24	33	
Commenced.....		38	53	57	74	222
Terminated.....		56	50	48	77	231
Convictions.....		33	33	37	61	164
Acquittals.....		4	8	5	7	24
Pleas.....		30	24	31	46	131
Trials.....		7	17	7	22	53
Pending.....		21	24	33	30	

VIRGINIA

Pending.....	Eastern.....	95	55	47	39	
	Western.....	107	92	101	80	
		202	147	148	119	
Commenced.....	Eastern.....	176	124	87	104	491
	Western.....	165	202	308	242	917
		341	326	395	346	1,408
Terminated.....	Eastern.....	216	132	95	104	547
	Western.....	180	193	329	241	943
		396	325	424	345	1,490
Convictions.....	Eastern.....	138	91	77	90	396
	Western.....	150	146	268	217	781
		288	237	345	307	1,177
Acquittals.....	Eastern.....	23	15	12	7	67
	Western.....	7	6	3	2	18
		30	21	15	9	75
Pleas.....	Eastern.....	121	71	75	83	350
	Western.....	133	133	256	212	734
		254	204	331	295	1,084
Trials.....	Eastern.....	40	36	16	14	106
	Western.....	17	11	12	7	47
		57	47	28	21	153
Pending.....	Eastern.....	55	47	39	39	
	Western.....	92	101	80	81	
		147	148	119	120	

WASHINGTON

Pending.....	Eastern.....	28	23	19	66	
	Western.....	279	378	619	282	
		307	401	638	348	
Commenced.....	Eastern.....	95	76	184	127	482
	Western.....	846	746	561	516	2,669
		941	822	745	643	3,151
Terminated.....	Eastern.....	99	81	137	156	473
	Western.....	746	518	899	612	2,775
		845	599	1,036	768	3,248
Convictions.....	Eastern.....	89	61	118	134	402
	Western.....	572	400	673	460	2,105
		661	461	791	594	2,507
Acquittals.....	Eastern.....	6	3	4	1	14
	Western.....	27	26	35	19	107
		33	29	39	20	121
Pleas.....	Eastern.....	61	52	96	126	335
	Western.....	502	356	563	409	1,830
		563	408	659	535	2,165
Trials.....	Eastern.....	26	12	28	9	75
	Western.....	97	70	145	66	378
		123	82	173	75	453
Pending.....	Eastern.....	24	18	66	37	
	Western.....	379	606	281	186	
		403	624	347	223	

Disposition of cases in each State for period beginning fiscal year 1926 and ending fiscal year 1929—Continued

WEST VIRGINIA

	District	1926	1927	1928	1929	Total
Pending.....	Northern.....	195	149	185	21	
	Southern.....	367	640	750	568	
		562	789	935	589	
Commenced.....	Northern.....	517	630	742	660	2,549
	Southern.....	2,157	2,467	2,167	1,449	8,240
		2,674	3,097	2,909	2,109	10,789
Terminated.....	Northern.....	563	594	906	635	2,698
	Southern.....	1,884	2,352	2,349	1,513	8,098
		2,447	2,946	3,255	2,148	10,796
Convictions.....	Northern.....	466	490	720	553	2,229
	Southern.....	1,522	1,916	1,917	1,122	6,477
		1,988	2,406	2,637	1,675	8,706
Acquittals.....	Northern.....	2	0	0	2	4
	Southern.....	2	1	3	4	10
		4	1	3	6	14
Pleas.....	Northern.....	448	484	706	537	2,175
	Southern.....	1,517	1,911	1,909	1,110	6,447
		1,965	2,395	2,615	1,647	8,622
Trials.....	Northern.....	20	6	14	18	58
	Southern.....	7	7	11	16	41
		27	13	25	34	99
Pending.....	Northern.....	149	185	21	46	
	Southern.....	640	750	568	504	
		789	935	589	550	

WISCONSIN

Pending.....	Eastern.....	40	39	67	56	
	Western.....	88	108	67	126	
		128	147	134		182
Commenced.....	Eastern.....	184	116	337	473	1,110
	Western.....	119	107	254	343	823
		303	223	591	816	1,933
Terminated.....	Eastern.....	185	88	348	358	979
	Western.....	96	148	195	320	759
		281	236	543	678	1,738
Convictions.....	Eastern.....	151	72	327	332	882
	Western.....	92	128	180	296	696
		243	200	507	628	1,578
Acquittals.....	Eastern.....	5	0	5	6	16
	Western.....	0	0	1	2	3
		5	0	6	8	19
Pleas.....	Eastern.....	139	64	304	312	819
	Western.....	87	124	173	291	675
		226	188	477	603	1,494
Trials.....	Eastern.....	17	8	28	26	79
	Western.....	5	4	8	7	24
		22	12	36	33	103
Pending.....	Eastern.....	39	67	56	171	
	Western.....	111	67	126	149	
		150	134	182	320	

WYOMING

Pending.....		38	11	18	13	
Commenced.....		70	54	83	82	289
Terminated.....		97	47	89	77	310
Convictions.....		60	41	79	59	239
Acquittals.....		6	3	2	6	17
Pleas.....		59	41	79	52	231
Trials.....		12	6	3	13	34
Pending.....		11	18	12	18	

NARCOTICS

The SPEAKER pro tempore. The gentleman from New York [Mr. SIROVICH], under the order heretofore made, is recognized for 60 minutes.

Mr. SIROVICH. Mr. Speaker, ladies and gentlemen of the House. Here is a poppy. It is about the size of an egg. When

you shake it, you hear a noise due to the seeds contained in it. The poppy contains two kinds of seed, one black and the other white.

The color of the seeds gives the name to the poppy. It is either a black poppy or a white poppy. The white poppy is annual. It rises 2 or 3 feet in height and sometimes even to 5 or 6 feet, in favorable situations. In India it blooms in the month of February. In Europe, and the United States, no earlier than June, July, or August.

When you cut your finger blood exudes. Within five minutes it coagulates. When you cut into the unripe capsule of the poppy, just before it is a year old, it too bleeds. But its blood is represented by a white milky exudation. This milky exudation takes 24 hours to coagulate. After that time this coagulated product is scraped off the capsule of the poppy, and it is called opium from the Greek word "opion," which means juice. This is known as crude opium.

It is in the capsule that the juice most abounds and the virtues of the plant chiefly reside. The seeds contained within the poppy are destitute of narcotic properties. From ancient down to modern times they have been employed in the preparation of various dainties such as bread, cakes, and rolls.

The seeds abound with a bland oil commercially called "poppy-seed oil," which may be extracted by expression. This oil resembles olive oil, for which it has been used as a substitute in every part of the civilized world.

At the present time the poppy is cultivated very extensively in India, China, Persia, Egypt, and in Asiatic Turkey for its opium and in certain portions of Europe chiefly for its seeds.

Here is the coca leaf. It grows mainly in South America, principally in Peru, and in Java, owned by Holland.

In human society man reproduces himself. His progeny are remembered as his offspring. Some of his descendants become famous while others become infamous. So with opium. This famous drug has 18 descendants. In chemistry we call them derivatives or alkaloids. Who are some of these distinguished children that opium has given to the world? Its oldest son is called morphine. Next come codein, narcein, papaverine, and pantopon, used in childbirth as twilight sleep. The rest have been relegated to the background of obscurity.

In 1817 an eminent German chemist, Saturner, extracted morphine from opium and preached the modern doctrine that the narcotic powers of opium resided in morphine, and so named this drug after the famous god of sleep, Morpheus. The chief descendant of morphine as its derivative is heroin, the grandson of opium. The only son of coca is cocaine, medically known as its alkaloid.

From time immemorial, through ancient, medieval, and modern times, opium has been used for five purposes: First, to relieve every form of pain that the human body is heir to. Second, to induce sleep for insomnia caused by inconceivable mental, physical, and functional conditions. Third, to check metabolic disturbances caused by inflammation and irritation that can take place in any part of the human body. Fourth, to counteract excessive secretions in the various cells of the body that give rise to serious disturbances, such as diarrhea, pleurisy, and peritonitis. Fifth, for systemic purposes to build up the physical and mental constitution of exhausted and worn-out human bodies.

In all parts of the world opium has been habitually employed by many with a view to its exhilarating and anodyne influence. This is particularly the case among the Mohammedans and the Hindus, who find in this narcotic drug the most pleasant substitute for alcoholic drinks, which are interdicted by their religion. In India, Persia, China, and Turkey it is consumed in immense quantities, and many nations of the East smoke opium as those of the West smoke tobacco.

The use of opium as a medicine can be clearly traced back to Diagos, who was nearly contemporary with Hippocrates, the founder of ancient medicine.

What is the physiological action of opium and its derivatives upon the human body and the human mind? There are four varieties of symptoms: First, subjective; second, objective; third, mental; and fourth, moral.

The subjective symptoms are the symptoms that the patient feels and complains of most. What are they? Generally speaking, opium is a stimulant narcotic. Taken by a healthy person in moderate doses it increases the force, fullness, and frequency of the pulse, augments the temperature of the skin, invigorates the muscular system, quickens the senses, animates the spirits, and gives new energy to the intellectual faculties.

This operation, while it is extended to all parts of the system, is directed with peculiar force to the brain, the functions of which it excites, and sometimes even goads on to intoxication and delirium.

In a short time this excitation subsides. A bodily calmness and a delightful placidity of mind succeed. The individual, insensible to painful impressions, forgetting all source of care and anxiety, submits himself to a current of undefined and unconnected but pleasing fancies and is conscious of no other feeling than that of a quiet and peculiar enjoyment.

At the end of half an hour or an hour from the administration of the narcotic, all consciousness is lost in sleep. The soporific effect, after having continued for 8 or 10 hours, goes off and is often succeeded by more or less nausea, headaches, tremors, and other symptoms of diminished or irregular nervous action, which soon yield to the recuperative energies of the system, and unless the dose is frequently repeated, and the powers of nature worn out by overexcitement, no injurious consequences will ultimately result.

Such is the obvious operation of opium when moderately taken, as experienced by the patient.

What are the objective symptoms as observed by the outsider looking upon one who uses the drug? His physical condition is below par. His features are expressionless. They index a lack of mental activity. They have the hatchet face with sunken cheeks and lusterless eyes. The color of the skin varies from a waxen pallor to a bluish appearance. The fingernails become brittle and chip off. The teeth soften and suffer continuous destruction. The dentine crumbles away. Gradual loss of weight increases monthly. An actual repugnance for meat is ever present while the drug is being used. The addicts become excessive cigarette smokers.

Blood pressure is uniformly high in morphine addiction and is often below normal in heroin cases. Yawning every few seconds. Tremor is very excessive, and the expression haggard. Excessive muscular weakness, and finally utter collapse. The mortality among drug addicts is largely from those cases which often follow too rapid reduction or total deprivation. So much for the objective symptoms.

What are the mental symptoms? Persons who were, prior to the addiction of this habit, honorable and upright, lose their fine sense of honor and degenerate into conscienceless prevaricators of the truth. In medicine we term them pathological liars. In the lexicon of the addict there is no such word as truth. He lies and lies in order to get possession of the drug. He will cry, plead, implore, beg, and beseech to give him the drug.

Deception and distortion of the truth and facts go hand in hand with the drug addict. His daily life is a veritable hell on earth through fear that the source of supply may be cut off. Gradually the mind drags down, and the drug addict becomes a derelict and driftwood upon the ocean of life, deserted by his friends, scorned by his relatives, and outlawed by society. [Applause.]

What are the moral symptoms? He is unable to differentiate between right and wrong, but uniformly does the wrong thing at the right time. He does not sustain his former moral level, but becomes careless in language and behavior, neglectful of family life and of personal appearance, and finally loses all sense of dignity, and becomes a moral as well as a mental and physical degenerate.

Under these conditions, crimes of every conceivable nature are committed to obtain the drug. On this point the addict becomes imbued with the courage of desperation, whereas usually drug addicts are cowards.

Addicts are clannish to a degree. They become reformers, crusaders, and, just like the enthusiasts in religion, in politics, and in prohibition, they fanatically preach the gospel of their drugs, and so each addict surreptitiously carries propaganda to the people he comes in contact with in speaking of the wonders and the glories of what opium and its derivatives will do to the one who takes them.

Days and dates become confused, and memory plays some pitiful tricks with these unfortunate men and women. To the female, in order to secure the drug, moral obligations are cast aside. Men and women alike are cowards and have no stamina or fortitude to come back. Such is the terrible tragedy of this drug when used for purposes never intended by nature. [Applause.]

The normal healthy person, having a sound mind in a healthy body, is uninfluenced by these drugs. Transient periods of physical imperfections are relieved and the drug is forgotten.

But what types of people use this drug? Personally I consider them psychopathic constitutional inferior types. Neurotics, dyspeptics, neurasthenics, high morons, low morons, hysterics; men and women who have been deprived by nature of certain inherent qualities that necessarily must go with the sound mind and the healthy body. These people bear the same relationship to normal human beings that the thorns and the thistles and the

weeds bear to nature. They can not stand pain or suffering. They are victims of hereditary, environmental, or acquired disorders that opiates only relieve. That is why they become slaves to these drugs.

These men and women should never be arrested and placed in prison. [Applause.] They are suffering from an infectious, contagious, and communicable disease that can infest all people who come into intimate contact with them. In our own country there are at least a million addicts who are using this drug to bolster their physical and mental shortcomings.

What is the treatment of drug addiction? For the last generation various drugs were used that were supposedly specific for the cure of this unfortunate malady. However, the most eminent authorities to-day in the Nation and in the world are agreed that there is no alternative treatment that will enable a drug addict to be cured. The most humane form of treatment is that of giving progressively, diminishing doses of morphine. Two to three weeks should be allowed for this reduction treatment. The advantages of this method are the absence or great diminution of severe suffering and its safety as regards collapse and danger to life.

In my study of the treatment of drug addiction no substances have so far been found that may be called specific cures for drug addiction. The utilization of depressants on the brain and nervous system are ineffective and not practical as a substitute for opium derivatives and should be disregarded by everyone who treats drug addicts.

The most important consideration following elimination of the use of opium and its derivatives, cocaine and its alkaloids, is the rehabilitation treatment, which consists in putting the drug addict upon the farm close to nature, encouraged by sympathetic attendants, who will help him climb the ladder of life once again and return to society as a useful member; in other words, to end his being a continued expense and even a menace to the city, and make him a self-supporting productive citizen. To secure such a result it must be assured that the addict has learned a trade or line of work through which he may be self-supporting; that a position be found for him when he is prepared; that his progress for a number of years be supervised and checked up through some form of parole; and finally that he be brought to a state of mind whereby he becomes cooperative and honestly desires to be permanently free of his habit.

To help the treatment of drug addiction we must get government cooperation, and through conventions the civilized nations of the world must get together and find a treatment that will permanently cure and eradicate the drug evil throughout the world. [Applause.]

Every proponent of the principle of prohibition is pleading for laws and regulations that will bring about State enforcement of the dry law.

If there ever was humane legislation that is necessary at the present time it is cooperation from every State of the Union, through its legislatures, that will help to rigidly enforce the evils of drug addiction. We have one enforcement agent for the narcotic law for every 500,000 citizens of the United States. We have 200 men who are asked to enforce the narcotic laws amongst 120,000,000 people in the United States. The total amount of money spent for enforcement because of drug addiction in this Nation is the sum of \$1,600,000. How much better and greater would it be if we would take away some of the \$36,000,000 appropriated for prohibition, which is unenforceable, and utilize part of it to enforce a law that the citizenship of our Nation is praying and hoping will be rigidly enforced. [Applause.]

Three tons of opium and its derivatives are necessary to look after the medical and the scientific requirements of the whole world. One ton of opium and its derivatives is all that is needed to look after all the people of North America and South America for medicinal and scientific purposes. And still almost 200 tons were smuggled into the United States during the last year, 85 per cent of which comes through the harbor of the city of New York.

From that port it is distributed to the large dealers who sell and ship only to trusted dealers in other cities, who in turn distribute to the smaller peddlers.

In the United States there are only 4 factories manufacturing derivative narcotic drugs, while in 5 countries of Europe, such as England, France, Germany, Holland, and Switzerland, there are 50 factories that are turning out opium and its derivative drugs to dope and drug the innocent peoples of the world. An ounce of morphine sells in Europe for 50 cents. By the time it is smuggled into our country it sells for \$150 an ounce. What tremendous profit is made by these unscrupulous vendors who live upon the shame, degradation, and weaknesses of the men and women of our country. [Applause.]

Under the able supervision of United States District Attorney Charles H. Tuttle and his chief assistants, George Mintzer and Mr. Blake, 98 per cent of the cases tried of those who peddled and sold these drugs were convicted and sentenced to prison for long terms. On June 30, 1929, of some 10,000 Federal penitentiary prisoners, the number convicted under the Federal drug act was 2,731, the greatest number convicted of felony under one act of Congress.

The consumption per capita of opium and its derivatives is 2 grains in England, 3 grains in Germany, 8 in France, and 8 in the United States.

Switzerland, with a population of 4,000,000 people, manufactured 23 tons of morphine and heroin last year. It manufactured 2 pounds of heroin for its own people and manufactured 2 tons of heroin to be sent into France every year.

Why do people become drug addicts? To my mind they become addicted to drugs because they can not keep battling along in the struggle for existence in this cruel world of reality, so they run away and flee into a new world, called the imaginative world there to live in peace, in harmony, and tranquility, and realize every aim and sentiment and ambition that they know in this world.

In running away from the world of reality to the imaginative world they have to cross four bridges, which lead them from the world of struggle into the world of fancy. These four bridges are called the opium bridge, the cocaine bridge, the heroin bridge, and the morphine bridge.

When they have completed their existence in this transient world of fantasy they return unfortunately back across four different bridges: First, the bridge of sighs; second, the bridge of humiliation; third, the bridge of degradation; and fourth, the bridge of sorrow. Back to the world of reality where the struggle for a fresh dosage of opiates begins.

When the Koran forbade its followers all forms of alcoholic beverages and indulgences, the Mohammedans found in opium a welcome substitute, and to-day the same deadly substitution is taking place not in Islam, not amongst the Mohammedans, but here in the United States of America, where prohibition has driven these psychopathic constitutional inferior types who fear to drink liquor because it may be poisoned, into the ranks of addicts who use these drugs to bring them from the world of reality into a world of imagination, so that we have the pitiful spectacle of having four times the amount of drug addicts after prohibition than we had prior to prohibition.

Of all the substitutes for strong drink none so quickly and so thoroughly destroy the body, stupefy the mind, and stultify the moral nature as opium and its derivatives, which debauches and undermines the moral fiber and destroys the economic efficiency of its victims, until the addict becomes more a devil than a man.

Various reputable authorities of this subject throughout the country estimate its devotees from 1,000,000 to 2,000,000. The United States is using thirty-five times as much morphine as is required for the legitimate medical purposes. Most of these drugs come in through smuggling.

Immediately after prohibition went into effect 850,000 pounds of crude opium, enough to produce 35 tons of morphine, were imported into the United States. One ton is enough to supply the medicinal needs of North and South America.

The combined population of Germany, France, and Italy is 140,000,000. The United States has a population of 120,000,000. Yet we imported ten times more crude opium than these three countries put together.

For over a century China, bound and helpless in the clutches of the opium habit, made spasmodic but futile attempts to break her chains and free her helpless people from an evil which destroyed their physical stamina, weakened their mental fiber, and ruined their economic efficiency. Edicts and severe penalties against the importation, sale, and use of opium seemed to have had little effect. The importation increased from 200 chests of opium in 1729 to 4,000 in 1790 and to 70,000 in 1858.

The opium came from India and the increase in importation corresponds with the British occupation of India and the monopoly of the East India Co. The Emperor Young Chen, who ruled China between the years 1750 and 1780, placed an embargo upon the importation of the poppy from India, because it was destroying the mental and physical fiber of the Chinese people, who were being exploited and commercialized by the British for the benefit of the East India Co. After his death, England compelled China to lift this embargo so that from the year 1790 the importation of the poppy increased from 4,000 cases to almost 70,000 cases in 1839. As England would listen to no appeals or protests, the Emperor of China finally ordered some 20,000 chests stored on ships near Canton to be destroyed.

This was in 1839 and the cause of the first so-called opium war, which resulted in defeat and loss for China. England took the island of Hong Kong and \$21,000,000 indemnity, of which \$6,000,000 went to the British merchants as payment for the destroyed opium. In addition five Chinese ports became treaty ports—open doors for trade in general and opium in particular. Fifteen years later came the second opium war waged by Great Britain, which opened up five more trade ports and exacted a second indemnity of \$3,000,000 from China.

These wars must be regarded as unjust and immoral because they originated in a desire to force upon a helpless people a traffic lucrative to Great Britain.

Mr. Speaker, ladies and gentlemen, listen to what that distinguished Premier of Great Britain said about the opium wars waged by England against innocent and defenseless China. Regarding this war, Gladstone said:

A war more unjust in its origin, a war more calculated to cover Great Britain with permanent disgrace, I do not know and have not read of. The British flag is hoisted to protect an infamous traffic; and if it was never hoisted, except as it is now hoisted on the coast of China, we should recoil from its sight with horror.

Such were the sentiments of England's foremost Premier, Gladstone.

Thus, with the opium trade forced upon her, China, about 1860, decided to share in the profits which so evidently made opium a worth-while trade and began to grow the poppy herself. This was a turning point in the national life of China. She gave up the struggle to free her people from a degrading habit and relinquished whole provinces to the growth of opium instead of wheat and other necessities of life.

In 1906, when 60,000,000 of the Chinese people had become drug addicts, the last great campaign against poppy growing and for the total eradication of the opium habit was begun. The cooperation of Great Britain was sought to restrict importation from India, as lacking this restriction nothing could be accomplished. A 10-year agreement was made in 1907 by which Great Britain promised to restrict the importation of Indian opium into China 10 per cent for each year of the 10 years, provided China curtailed the growth of the poppy in the same ratio. The unexpected and almost incredible happened. China conducted the fight with vigor, offenders were very severely punished, and by 1917 China proved to the world that she was practically free from the native-grown drug. [Applause.]

There are few instances in history where such a sweeping reform was carried through so rapidly and so thoroughly. Foreign importation also virtually ceased. China, however, is not free from the opium curse, though the China market is closed to the drug, because China has no control over the territorial holdings of European powers. Opium may be bought freely in all foreign concessions. In Shanghai and Hong Kong, for instance, by crossing an imaginary line from the native to the foreign controlled city, the Chinese may buy as much opium as they wish.

The revenues to the British Government for one year were nearly \$32,000,000 net from this "monopoly." Turkey and Persia, next to India, are the two greatest opium-producing countries in the world. Since the war both of these countries are to a great extent under British control, which gives England almost absolute control of the world's opium—owners of a true monopoly of opium.

As we study the statistics of these and other countries of the Far East and realize that the use of habit-forming drugs is constantly increasing, in most if not all cases protected and fostered by alien governments for treasury revenue, the menace of this monstrous evil not to the Far East alone but to the entire civilized world becomes a melancholy certainty.

Only two countries of the Far East are free from the government-encouraged traffic. One, Japan, the only oriental nation never dominated by a European power, has no opium shops and protects its people from the dangers of opium by strict laws. The other is our own subject colony of the Philippines, which is protected as carefully as United States law can do it. [Applause.] The fact seems to be that the British Government is responsible for the large quantities of opium flooding the world to-day. The cultivation of the poppy is fostered by the government, manufactured into opium in the government factory and into morphine by British firms in London and Edinburgh, and sent out into the world through trade channels, illegal and otherwise.

Attempts have been made from time to time to curb this growing evil. In 1909 President Roosevelt called an international opium commission, attended by the United States because of our interest in the Philippines, assembled at Shanghai. At that meeting, under the leadership of the delegates from this

country, the question was studied for the first time in the history of the world from the viewpoint of every country represented and suggestions offered for its ultimate solution to emancipate the drug slaves of the world. [Applause.]

Following the close of the meeting the United States suggested that a conference be held at The Hague, composed of delegates having full official power to provide a way to end the habit-forming drug traffic. The first Hague conference met on December 1, 1911, called by that genial, lovable, and gracious President, William Howard Taft, for whom the whole country is offering up a prayer that the Almighty God may restore to health and return him back as a useful member to his family and our great Republic. [Applause.]

After three months' discussion the conflicting interests of the nations assembled were brought into conformity and a convention was designed to wipe out the evil features of the drug traffic. This International Opium Convention, as it was called, was signed by the representatives of the 12 powers which had formulated it January 23, 1912, but was not to be ratified by the contracting parties until it had received the signatures of the other nations of the world.

In 1913 a second conference was called, at which 34 nations were represented, and all except Great Britain and Germany agreed to sign it at once. In June, 1914, a third conference took place at The Hague, where the representatives of all the powers of the world except Turkey and Serbia solemnly agreed to put the International Opium Convention into effect December 31, 1914.

The convention laid down new principles of international commercial law for the stopping of any obnoxious commodity in international commerce. Each government, including our own, has remodeled its legislation somewhat to conform to the convention requirements. Dr. Hamilton Wright, in 1915, said that our Government had made most drastic changes. But still the production, sale, and use of the drugs goes merrily on and the world seems indifferent. We try to protect our own citizens, and yet allow enough morphine and opium to be shipped from Seattle in five months to give a dose to each of the 400,000,000 men, women, and children of China.

Japan protects its own people by careful laws, but allows smuggling, which debases and demoralizes millions of Chinese, to go on under governmental protection. Great Britain protects and fosters a traffic which sent in 1916 from English factories 16 tons of morphia to the helpless people of the Far East.

Now the evil is at our very door, nay, more, has entered our door, threatening the welfare of our young men and women by the thousands. The number of drug addicts in New York City alone has been estimated at from 10,000 to 100,000.

The Harrison Narcotic Act, a Federal law enforced by the Internal Revenue Department, has attempted to "regulate" this condition by providing that every pound of opium or its derivatives that comes into this country legitimately must be accounted for, and its distribution, both wholesale and retail, accurately recorded. Drug stores can sell narcotic drugs only on a physician's order or prescription; the prescriptions are kept on file and the amount sold must tally with the amount called for, as well as with the amount obtained from the wholesaler.

Prescriptions are written in triplicate—one for the physician himself, one for the druggist, and one for the health department. If he prescribes for a drug addict, his prescriptions must show a daily diminution of the dosage. These records are to be open for inspection at any time. Violations on the part of the physicians, or druggists, or wholesale houses, may be easily detected. At one time it was thought that physicians were often responsible for the drug habit, but this has not been proved. The total number of doctors, dentists, veterinary surgeons, and pharmacists who are registered to use opium and its derivatives amounted last year to 349,000. Of this number only 149 were arrested and convicted for violation of the Harrison Narcotic Act, less than one one-hundredth of 1 per cent. To-day drug addiction is due mainly to two causes: One, overproduction; and the other, due to smuggling of narcotics, mainly manufactured in England, France, and Switzerland, and from there to all nations of the world.

Great Britain has established an opium monopoly, which encourages poppy growing even to the extent of lending money without interest to those who are willing to cultivate the plant, and then once a month sells it to the highest bidders, who find a market how and where they can, so that England to-day has unofficial agents throughout the world drugging poor and unsuspecting victims.

So I make the unqualified charge upon the floor of this House that England, one of the greatest civilized nations of the world, a nation for whose integrity, scholarship, and humanitarianism I entertain the highest possible esteem and regard, that this wonderful nation to-day has an almost exclusive monopoly in

the growth of the poppy seed, which grows mainly in India, found in Persia, Asiatic Turkey, which England influences, and Egypt, which she controls. The growth and production of the poppy is absolutely in the hands of the British Government. Through these possessions under the direct ownership and supervision of Great Britain, the crude poppy is sent chiefly to pharmaceutical laboratories in England and Scotland, where most of the opium and its derivatives are sent to all parts of the world to drug innocent and unsuspecting citizens throughout the world.

To my mind one of the greatest authorities in the world on the subject of drug addiction and the narcotic evil, is our distinguished chairman of the Committee on Foreign Affairs, Hon. STEPHEN G. PORTER. [Applause.] But yesterday, the American Medical Association, the County Medical Society, the American College of Surgeons, the Academy of Medicine, the Medical Alliance, and the Eastern Medical Society, that number in their membership almost 200,000 doctors of our Nation, were arrayed against the Porter bill. It was my good fortune to go into conference with Mr. PORTER 24 hours ago, in conjunction with the representatives of the American Medical Association and other medical societies. Through his genial and sympathetic cooperation, we have managed to iron out the misunderstanding of his bill in relation to the doctors of our country. The bill as now amended meets with the cordial approval of the leading medical societies of our Nation, so I want to pay the tribute of my respect by placing the wreath of my affection about his head and the tribute of my love and regard at his feet, and say no finer man ever graced the Halls of Congress than the distinguished gentleman who has the honor to be the chairman of the great Committee on Foreign Affairs of the House of Representatives. [Applause.]

As the chairman of the Foreign Affairs Committee Mr. PORTER has served our Nation loyally, faithfully, conscientiously, and intelligently. As the representative of our Government at the Geneva conference he, to my mind, symbolized the ideal representative amongst all the Nations of the world when he fought heroically and courageously once and for all to blot out and eradicate the great evil of drug addiction.

First and foremost, Mr. PORTER urged the absolute necessity of limiting the production of the poppy in all poppy-growing countries of Asia. Second, he fought a valiant battle and courageously represented the best traditions of our country when he contended that next to limitation of the growth of the poppy is to limit the manufacture of opium and its derivatives and the cocoa and its alkaloids, only to meet the medical and scientific demands of the world. [Applause.]

When some of the foreign nations, like England, France, and Switzerland, refused to meet him honorably on the plane of justice, like Pinckney, who said to the French Directory, "Millions for defense, but not one cent for tribute," he carried the banner of the Government and the Congress of the United States high and aloft and retired as representative of our Government from that conference rather than compromise a principle that would emancipate the slaves of drugs and bring peace and contentment to the homes of millions. [Applause.] There again our Nation and history will applaud his conduct. One day a grateful people will erect a monument to commemorate his devoted service to his fellow man in leading the moral forces of the world against the curse of opium.

You can not compromise a principle. You can not have one law of opium for the nations of the east and another law of opium for the nations of the west. Drug addiction is universal. It is everywhere. That is why we demand an international convention to be called, preferably by President Hoover, in the city of Washington in 1931, and invite all the representatives of the world to be present and under the fearless, able, and courageous leadership of Congressman PORTER [applause] representing the ideals and traditions of our people, and the honest people of the world who want to be cured of this terrible tragedy.

We can then focus the public opinion and the attention of the world upon England, France, and Switzerland, the nations that are manufacturing and elaborating and developing more morphine than has ever been made in the history of the world, and that is drugging innocent people who are being offered up on the shrine of Mammon and the altar of opium and its derivatives. [Applause.]

Mr. Speaker, ladies and gentlemen of the House, the time for commercializing the lifeblood and flesh of human beings should be relegated to the age of barbarism. [Applause.] In this twentieth century of civilization, when disarmament conferences are being held to benefit mankind, the time has come when the United States, as the greatest civilized Nation of the world, should call a halt to a monopoly which one nation enjoys in poppy growing, while two other nations are drugging the world for monetary gains. [Applause.]

In the name of humanity, in the name of decency and righteousness, let us say to any nations of the world who exploit the weaknesses of human beings through drug addiction that just as we are sinking battleships to make the world safe from war, so the time has come when we must destroy at least three-fourths of all the pharmaceutical drug houses operated throughout the five nations, that manufacture opium and its derivatives, and only allow to remain half a dozen of these institutions, owned, operated, and controlled internationally, where every nation is allotted a laboratory, to see that only that amount of opium and its derivatives are manufactured that are necessary to look after the medical and scientific needs of the civilized world. [Applause.]

That is why I am pleading for an international board composed of representatives of all manufacturing nations to rigidly control under governmental supervision the production and manufacture of opium and its derivatives. [Applause.] The control should be so careful and exact that every particle of the drug could be traced back by steps to the State-controlled factory. No laboratories should be allowed to any country whose antinarcotic laws do not guarantee the proper use of the drug. The magnificent and fertile lands of India, Persia, Asiatic Turkey, and Egypt should grow and flourish with wheat and other natural productions of nature, to feed the emaciated, hungry, starving millions of unfortunate citizens of the poppy-crazed people of the east. [Applause.] As their drugged minds will clear up and the organs of their bodies vibrate with renewed human energy and enthusiasm, their economical development will be enhanced and, having a healthy mind in a sound body, will bring national prosperity to lands that were formerly filled with penury, hunger, and want. [Applause.]

Let the United States lead in the vanguard of those who are willing to give of their to-day that others may have their tomorrow. Let our country that has always stood for idealism and for progress, continue to battle against the drug capitalists, who have made the world unsafe for humanity to live in. Then when we have accomplished our purpose, and have wheat fields growing upon the trail of the poppy, and have freed the world from pharmaceutical laboratories that would destroy the moral, mental, and physical fabric of unfortunate men and women, the curse of the east will have been removed and the menace to the civilization and progress of the west will no longer exist. Then only will we be enabled to fulfill the great immortal golden sentiment of the Savior, "Do not do unto others that which you do not want others to do unto you." And the great commandment to "Love thy neighbor as thyself" will be a reality instead of a dream and an abstraction. [Applause.]

Mr. Speaker, ladies, and gentlemen, I have brought here before you a collection or an exhibition of opium and its derivatives to show you what is going on in this the twentieth century of so-called civilization.

Here [indicating] is a Holy Bible placed in a hotel by the Gideons. When it was opened it contained in its center, morphine and cocaine outfit and the hypodermic needles.

Here [indicating] are more books. This one is called "The Outlook." I hope that after my speech the future outlook will be better than the past has been. Here are morphine, cocaine, opium, and heroin contained in its center, where pages have been removed and cut out.

Here, ladies and gentlemen, is a box of candy containing opium, morphine, cocaine, and heroin and coated with chocolate. Here are caramels containing opium, morphine, cocaine, and heroin, colored with chocolate and other dyes. Here is soap, and in the center of it is opium, morphine, cocaine, and heroin. Nobody in the world would suspect it.

Here is a piece of paper that has been "doped" with morphine. It was sent to a prisoner in one of our prisons. It is a piece of paper with a letter written on it and before it was sent to the prisoner it was put into a glass of water that had been saturated with morphine. In medicine when you take morphine and put it in water where it can no longer dissolve, we call that a saturated solution. This paper was dipped in this solution for one day and then allowed to dry. A message was written on it to the convict. Daily he would dissolve pieces of this paper in water, which would supply him with morphine. In medicine this solution contains the largest percentage of morphine. It is called "Magendies solution."

Here is the case of a woman who is supposed to have sent the picture of her son to her friend in prison. Here is the beautiful picture, but in the back of it, ladies and gentlemen, there is enough morphine and cocaine to keep him going for at least three months.

Here are shoes where the heel is filled with opium, morphine, cocaine, and heroin. Look at these magazines and other papers of every conceivable nature filled with opiates. Here are

trousers sent in to a prison, and on the buttons there is opium and morphine which he can take out and smoke and use.

Behold, these dresses and other wearing apparel that are loaded with opiates and its derivatives that are smuggled into our country. These various things contain thousands of dollars of opium, and when you put this on [indicating] and put your coat over it, how can you detect it?

Here is morphine concealed in the panels of a wall and here is a scale hidden in the panels which measures it at the same time. The most difficult thing in the world is to detect smuggled opium and its derivatives.

Yet the per capita utilization of drugs in the United States is no greater than that of Europe. They have as many addicts in England as we have in the United States, but we have the finest laws upon the statute books of our country, better than those of any civilized nations of the world. [Applause.]

Here are so-called cigarettes, but you open them up and they are nothing but opium and morphine. Here are the various smoking preparations. This, Mr. Speaker, ladies, and gentlemen, represents the smoking opium. Whenever you smoke the opium the smoke that goes through here [indicating], just like the dirt that may collect inside a chimney, contains from 9 to 11 per cent morphine. So this is scraped off and this [indicating] is the product. It is called yen shee, the by-product of smoking opium, taken from the inside of the smoking opium pipe, containing 10 or 11 per cent of morphine.

To show you what you can do with rehabilitation if you are kind and generous to these men we have in the penitentiary, here is a piece of work [indicating] that was done by one of the drug addicts who was put in prison.

It is not right for any nation of the earth to put a drug addict in prison. A man or woman who suffers from drug addiction suffers from a disease. The moment you take this drug addict and put him in a prison you are contaminating him with criminal influence and criminal tendency. The drug addict by nature is a coward and the only thing that stimulates his mentality is heroin or morphine, which encourages him to go out and under its influence to commit any crime in the world.

It is not the underworld alone that utilizes opium and its derivatives. It is found in the upper strata just the same as it is found in the lower strata, and so, when we are legislating and calling an international convention to do justice and righteousness to those who have fallen by the wayside as unfortunate victims of life, we are trying to do something that will better the civilization of our day.

And so, Mr. Speaker, ladies and gentlemen of the House, without any further ado I will be glad to answer any questions any gentleman desires to ask. [Applause.]

Mr. WILLIAMSON. A little while ago the gentleman alluded to these factories that produced these drugs. Is it possible to manufacture opium by an ordinary individual, or does it have to go through a certain process?

Mr. SIROVICH. If the gentleman had been present when I began he would have his answer. I explained everything from the beginning.

Mr. WILLIAMSON. I was not present.

Mr. SIROVICH. For the gentleman's benefit I will say that here is a poppy as it grows. If you break the poppy it has seeds in it, white and black. If it has white seeds it is the white poppy and if it has black seeds it is the black poppy. They have no narcotic properties whatever. They are only used for cakes, pies, bread, and so forth; but if you cut into the capsule, like when you cut your finger, it exudes a coagulated material, a milk-white substance, which takes 24 hours to coagulate. That is crude opium. The crude opium is sent to the factories, and these factories cost anywhere from \$1,000,000 to \$10,000,000 to construct, and they turn the crude opium into morphine and its derivatives.

Mr. WILLIAMSON. Then it could not be prepared by any ordinary individual?

Mr. SIROVICH. No; it is not like alcohol that can be manufactured in a cheap still, but it takes a factory, costing from one to ten million dollars, to manufacture crude opium into morphine and heroin. That is why it would be best to internationalize the drug factories of the world in order to produce what is necessary for scientific and medicinal purposes.

Mr. EDWARDS. Will the gentleman yield?

Mr. SIROVICH. Certainly.

Mr. EDWARDS. We are very much interested in the gentleman's able address and hope it will do much good. What does the gentleman propose to cure or prevent new addicts?

Mr. SIROVICH. I will tell you what to do. If the west wants a good education on the drug traffic, let it go to Japan and see what Japan is doing. Japan owns Korea and Manchuria, and they have a population of 14,000,000. When Japan took

possession they found 5,000 drug addicts. What did Japan do? It took over the poppies and its derivatives, and if you were a drug addict you had to register under the Japanese Government. Then they gave you the necessary opium and morphine cheaper than you could get it when it was smuggled in, and so it killed the smugglers. They do not allow any new addicts to be formed, and they reckon that in 10 to 30 years, when the present drug addicts will have died, there will be no more as far as Japan is concerned.

Mr. LaGUARDIA. Will the gentleman yield?

Mr. SIROVICH. Yes.

Mr. LaGUARDIA. In reply to the gentleman from Georgia, I want to say that we have authorized the construction of two narcotic farm hospitals, where addicts will be treated as such.

Mr. EDWARDS. They will not go into operation until 1932.

Mr. LaGUARDIA. And in the meantime they are sent to Atlanta.

Mr. SIROVICH. And in that way they are making them worse.

Mr. PORTER rose.

Mr. SIROVICH. If there is any man in the world that I would like to yield to, it is the gentleman from Pennsylvania. We ought to give him a demonstration because the gentleman has done more to exterminate drug addiction for the benefit of humanity and for our citizens than any man in the Nation. [Applause, Members rising.]

Mr. PORTER. Mr. Speaker, I am indeed grateful to the gentleman from New York for his heartening words of commendation. I rose to inform the House that two years ago we passed the narcotic farm bill. It authorized the construction and maintenance of narcotic farms, taking the Federal wards from the Federal institutions and placing them in institutions where they could receive scientific treatment. The drug addicts are not as a rule criminals, but usually the victims of misfortune.

My purpose in rising is this: It must be remembered that we are pioneers in this field. There is no institution like it in the world. We have had to move cautiously, but I am happy to state that we are making rapid progress. I am hopeful that one of the institutions will be completed within the next two years, and I know that it will be a happy day for this House and a happy day for all of us when we can take the 2,000 unfortunate addicts who are now in our penitentiaries and transfer them to institutions where they will receive proper care. There is no distinction between a drug addict and a lunatic or an idiot or a weak-minded person. They should all be confined for their own protection and also for the protection of society; if it is possible to cure them, so much the better. Whether there is a cure for drug addiction no one knows. The truth of the matter is that we have never really tried to find one; but when these narcotic farms are in operation, we can give the matter a very thorough test.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. SIROVICH. Yes.

Mr. SCHAFER of Wisconsin. Does the gentleman find that the use of drugs has increased in leaps and bounds under prohibition?

Mr. SIROVICH. The gentleman from Wisconsin wants to know if drug addiction has increased since prohibition went into effect. Many of these drug addicts were accustomed to using the stimulation that came from alcohol. Alcoholic stimulation would transform these unfortunate people from the world of reality into the world of dreams. Since they have been deprived of alcohol, and being afraid that the industrial alcohol which contains poisons is likely to poison them, they have gone away from alcohol and have utilized drugs in many instances to accomplish the same purpose.

Mr. ABERNETHY. Mr. Speaker, will the gentleman yield?

Mr. SIROVICH. Yes.

Mr. ABERNETHY. I am very much interested in the statement of the gentleman that the medical profession is coming to an agreement with Mr. PORTER on his bill. There has been some opposition from various sources I understand?

Mr. SIROVICH. I would like to correct that for the benefit of the House. I received protests from the American College of Surgeons, from the American Medical Association, from the Academy of Medicine, from the County Medical Society, and other medical societies stating their opposition to certain features of Mr. PORTER's bill, but how can anyone oppose the gentleman from Pennsylvania [Mr. PORTER] when he is always willing to sit down as a gentleman should and iron out the wrinkles. We got together yesterday and we stand united for the Porter bill. [Applause.]

Mr. UNDERHILL. Mr. Speaker, will the gentleman yield?

Mr. SIROVICH. Yes.

Mr. UNDERHILL. In addition to taking over the various factories in other countries by international agreement, does the gentleman's resolution provide some measure for the prevention of the establishment of new factories?

Mr. SIROVICH. Yes; it provides for that, too; and it further provides that after the international tribunal shall meet and each nation shall put together the amount of money necessary to purchase all of these pharmaceutical factories manufacturing dope, that they shall then determine the medical and scientific needs of the world in respect to these narcotics, and then tear down every pharmaceutical laboratory throughout the world and leave only behind enough to look after the medicinal and scientific needs of the world, providing it leaves one in each country to look after their people in time of peace or in time of war.

Mr. QUIN. Mr. Speaker, will the gentleman yield?

Mr. SIROVICH. Yes.

Mr. QUIN. I understand that there is no cure for these drug addicts?

Mr. SIROVICH. I did not say that. I said most of them can not be cured. They are cured for a period of three months or a year or two years, but there is always a relapse. There are periods of exacerbation and intermission, and while they make new resolutions and new promises, yet as the years go on and months go by these peculiar psychopathic constitutionally inferior types find themselves under an impelling influence which compels them to go back, just as the alcohol addict goes back to a spree.

Mr. QUIN. But there is a temporary cure?

Mr. SIROVICH. There is.

Mr. PERKINS. Mr. Speaker, will the gentleman yield?

Mr. SIROVICH. Yes.

Mr. PERKINS. Can the gentleman inform the House as to the relationship between the increase of these drug addicts in England, France, and Switzerland, as compared with the United States?

Mr. SIROVICH. As I stated before, I think we have as many addicts in our country as England has. I think France, although it has a smaller population, has more addicts, and Italy, by the way, has more addicts than the United States. However, while many Members of the House talk against the dictatorial powers of Mussolini, the House should be informed that it was Mussolini's representative, I think his name was Cavatani, who was the one man next to Mr. PORTER who had the courage to stand up in that League of Nations' conference and tell England and France and Switzerland that they were drugging the people of the world, and that Italy is ready to back and cooperate with the United States and the other 47 nations of the civilized world to forever abolish the drug slave from the arena of modern society and civilization. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

HON. EDMUND WILLIAM SAMUEL

Mr. MAGRADY. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MAGRADY. Mr. Speaker and colleagues, I ask your attention just for one moment so that I may announce the passing of a former Member of this House, Dr. Edmund William Samuel, who represented the sixteenth district of Pennsylvania in the Fifty-ninth Congress. I ask unanimous consent to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

ADDRESS BY HON. THOMAS A. YON, OF FLORIDA

Mr. McCLINTIC of Oklahoma. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a patriotic address delivered by Congressman Yon, of Florida, on February 28 last.

The SPEAKER pro tempore. The gentleman from Oklahoma asks unanimous consent to extend his remarks in the manner indicated. Is there objection?

There was no objection.

Mr. McCLINTIC of Oklahoma. Mr. Speaker, under the leave to extend my remarks in the RECORD I include the following patriotic address delivered at Seat Pleasant, Md.

MEMORIAL TO WASHINGTON

Mr. Chairman, ladies, and gentlemen, I am pleased to speak to you on this occasion on George Washington as soldier, statesman, and Mason.

John Washington, the great-grandfather of George, came to the Colony of Virginia about 50 years after the settlement of Jamestown and settled in Westmoreland County. His son, Lawrence, married Mildred Warner, who was the mother of Augustine Washington and to whose second marriage to Mary Ball was born George, the eldest of seven. He was destined to be the Father of his Country, and was born at Wakefield on February 22, 1732.

His life was spent on the average as of the rest of the well-to-do colonists' children of that period. While young, he had a private tutor and studied the rudiments of the three R's, supplemented by a special course in surveying. The most significant point in this connection is that he never did avail himself of the advantages of a classical, scientific, nor legal education because the urge for action, as you will note, came too early in his life to permit of these classroom accomplishments; but he didn't stop his studies when he left the private teacher, for he went out into the great open spaces, serving and associating with all classes of society at an early age in his life, therefore affording the broadest avenue for the accumulation of knowledge of life's greatest study, that of human nature. This opportunity he made use of by a study of peoples from the wildest savage life up through other intervening strata to the most exclusive of the aristocratic citizenry of the Colonies—Patrick Henry, who lighted the torch that set off the explosive for political liberty; Thomas Jefferson, the writer of the Declaration of Independence; Benjamin Franklin, and a host of others of that period were men of letters and the law, and, added to these accomplishments, they had added their store of knowledge of their observation in many instances of foreign travel which Washington never did avail himself of as he never left these shores, as history discloses, except in one instance, and that was to accompany his sick brother, Lawrence, on a visit to the Barbados for his brother's health.

Therefore he was instinctively and naturally American. In connection with his studies he never attended West Point nor any other school of strategy to study the arts of war; but as a leader of men in action, fighting to defend a declaration that "America should be free and independent," his record in this direction answers all critics as to whether or not he was deficient in the art of military tactics.

When he was 11 years old his father died, leaving over 5,000 acres of land and much personal property. When he was 14 his half brother, Lawrence, procured for him an appointment in the British Navy as midshipman; but his mother objected, and so he was saved for a greater purpose, unknown and unthought of at the time.

Lawrence Washington married the daughter of William Fairfax, the cousin of Lord Fairfax, who owned immense holdings, amounting to a million or more acres in Virginia, and it was through the friendship of William Fairfax for his son-in-law, Lawrence Washington, the half brother of George, that he, George, was employed at the age of 16 as surveyor for Lord Fairfax. Through this opportunity afforded by this occupation for these years, George was enabled to penetrate into the wilderness fastnesses and become better acquainted with the natives and their habits, as well as acquainting himself with the trails and paths that would stand him in good stead in the years to come, both in the Indian and Revolutionary Wars, to the first of which he attached himself at the age of 19 as one of the adjutant generals, with the rank of major, in the Virginia Militia. His military career was interrupted in 1752, for it was in that year his brother Lawrence died, and he assumed the management of Mount Vernon.

This he did until the following year, when, on account of the advance of the French and Indians up the Ohio Valley, even to the head of the river of that name, the progress being made by them caused Governor Dinwiddie to send a messenger to warn them; but the first sent failing, he placed this responsibility on Washington, and as to how well he performed his duty in that respect is well known to most every school boy and girl in this country. Of course, you all know the immediate results from his report to the governor—the Braddock campaign and its failure; the rallying of the fleeing men after the defeat and death of Braddock; the ultimate conquest of Fort Duquesne, and the final outcome of the French and Indian War with the fall of Quebec. These are all matters of history, whose pages chronicle events showing that our hero in his younger years had a prominent part in laying a foundation that would equip him for greater service to the people of the Colonies, when by acts of Parliament it undertook to override the liberties of the people. It was Washington who was called as Commander in Chief of the armies of the Continental Congress. This duty he accepted and fulfilled with exemplary ability; in spite of the lack of funds and because the loosely constructed Confederation could provide him with no better, cabals organized against him, with defeat at seemingly strategical moments, with his ragged and barefoot soldiers, for instance, at Valley Forge.

Yet he maintained implicit faith in—as Joshua of old, his Jehovah—patience to the limit, such as never before was known, and yet this was for a love of liberty and coupled with the fatherly love and consideration for his men, which, in the end, brought the ultimate result, the surrender at Yorktown, the acknowledgment by England of the right of the Colonies to be free and independent States, and, in taking leave of the command, he said:

"Having now finished the work assigned to me I retire from the great theater of action and bidding an affectionate farewell to this august body under whose orders I have long acted, I here offer my commission and take leave of all employments of public life."

And, with this achieved, Washington again returned to the estate he loved so well, Mount Vernon, where he thought to pass his remaining years in the management of his vast estates and dispensing the hospitality with his wife, Martha, whom he had married in 1759, while she was a widow as Martha Custis—but not so—and I will mention that later. Washington, the statesman! Of him, as such, it seems strange that one who filled the most difficult rôle of any American statesman, that of being its first President, and that it should be his responsibility to try out this great experiment, could have set the new national machinery to work in the manner and with the wonderful success, such as is evidenced in the growth of this great Nation, of course, without the usual political turn of mind as was accustomed to be the practice of those of that day—to study law and go to the legislative assemblies.

But not so with him. Soon after his marriage in 1759 he was selected for the Virginia House of Burgesses and was a regular attendant but a "silent one." Also, he was one of Virginia's delegates to the First Continental Congress at Philadelphia in 1774, and even though, if he was a silent Member at both the Colonial assembly and the Continental Congresses, yet Patrick Henry admitted him to be as "unquestionably the greatest man on the floor" of the Congress. Therefore, even though the usual school historian tells us lots of the life of Washington, not much attention is paid to his political life until he became President, and as such, if time would permit, I could relate incidents recorded many times which showed he was called on to equalize the divergent views of the two leaders, Jefferson and Hamilton, on their theories of government. The Democratic-Republican of one, the Federalist of the other, reserving to the States most of the functions of government, on the one hand, and a strong centralized Federal Government on the other; and at times so bitter were the antagonisms that the patient, charitable Washington had to display the indomitable will of leadership and patience as of the years before in the War of Independence.

Washington as a Mason, was made such—as the Masonic records show—by being initiated in Fredericksburg Lodge, No. 4, on November 4, 1752. He passed as a fellowcraft on March 3, 1753, and was raised to the sublime degree of a Master Mason on August 4, 1753. He was made an honorary member of the Alexandria Lodge, No. 39, on June 24, 1784, which was originally chartered under Grand Lodge of Pennsylvania.

In 1788 this lodge became Alexandria, No. 22, under jurisdiction of Grand Lodge of Virginia. He became charter master of this lodge April 28, 1788, and was unanimously selected master on December 30, 1788. He was inaugurated President on April 30, 1789, taking the oath of office on a Bible furnished by St. John's Lodge, No. 1, New York. He was acting grand master of ceremonies, and as such laid the cornerstone for the United States Capitol on September 18, 1793. He was buried masonically at Mount Vernon on December 18, 1799, by Alexandria Lodge, No. 22, which became the Alexandria-Washington Lodge in 1805. The above dates and places chronicle the outstanding incidents relative to the initiation, passing, raising, and service of George Washington in Masonry; but the mere mention of dates nor any particular incident can speak in terms of Washington as a Mason.

We follow him from his comfortable estate, Mount Vernon, so pleasantly situated, overlooking the Potomac, to the first sessions of the Continental Congress, from which he accepted without mental evasion or equivocation, the order to proceed to Cambridge, Mass., to take command as chief of the armies of the Continental Congress. Throughout the War for Independence he conducted himself as a man and with the spirit of brotherly consideration for his men, as a Mason should have. As we are here assembled, let us take courage that although the clouds of despair might hover about us, yet history reveals that the same conditions have hovered about everyone who has really tried to serve humanity and country. As we look back, let us observe the past as having provided us with an example of patriotism in the persons of men and Masons, if for no other use than that we might profit by their experiences.

The past, in our lives, is gone. In it, as we reflect, have been many happy occasions, no doubt; but mingled with these, many things have happened that tended to dim or obliterate those happy reflections. No doubt there has been the loss of loved ones, dearly beloved friends, the failure of some material undertaking, but in our lives the past is gone except that possibly we might benefit from the mistakes of the past.

The present is here. Are we satisfied with it? I say we are not. What have we in store? It is the hope and anticipation of the future. Will we improve it? We all hope for that, hope for a better material existence on this earth, and as the years go by and the allotted time to man on this terrestrial ball has come to its end, there is still a hope in the breast of nearly all mankind—the hope of the hereafter. But Masons should always endeavor to so live that when the last fleeting breath is leaving this mortal clay and the immortal

soul is returning to the spirit land, and as friends kindly consign this "dust to dust and ashes to ashes," none will say other than that he lived not a life so great nor so outstanding as the man whose memory we are honoring on this occasion, the great soldier, statesman, and Mason, Washington, yet he tried to serve humanity as the opportunity came to him and will be remembered not for the evil he did but for the service he rendered mankind.

Now, in closing I will add that as the bicentennial celebration of the birth of Washington is being planned for two years hence as a national manifestation in honor of his memory for the great services he rendered, it is to be hoped that for Masons the magnificent National Memorial Masonic Temple on the hill overlooking his home town, Alexandria, and the seat of the Government he helped to create, might be completed and be a mecca for thousands, aye millions, of loyal Masons to visit in that year and forever hereafter for succeeding generations.

RESOLUTIONS BY THE CORN BELT CONFEDERATION

Mr. CANNON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD to include resolutions adopted by the Corn Belt Confederation, representing a million Mississippi Valley farmers.

The SPEAKER pro tempore. The gentleman from Missouri asks unanimous consent to extend his remarks in the manner indicated in his request. Is there objection?

There was no objection.

Mr. CANNON. Mr. Speaker, on Monday, February 24, the Corn Belt Confederation, comprising officials of Mississippi Valley farm organizations, convened at Des Moines, Iowa.

The organizations represented and their official delegates included:

Missouri Farm Association, William Hirth, F. B. Young.
Farmers' Union, Northwest Division, A. W. Ricker.
Kansas Farmers' Union, C. E. Huff.
Kansas Farm Bureau, Ralph Snyder.
Nebraska Farmers' Union, H. G. Keeney, Emil Becker.
Nebraska Farm Bureau, C. B. Steward.
Iowa Farmers' Union, Milo Reno.
Iowa Farm Bureau, Charles E. Hearst.
Illinois Farmers' Union, E. E. Kennedy.
Minnesota Council of Agriculture, T. E. Cashman.
Minnesota Farm Bureau, J. S. Jones.
North Dakota Farmers' Union, C. C. Talbott.
Oklahoma Farmers' Union, John A. Simpson.
Indiana Farm Bureau, W. H. Settle.
Missouri Farmers' Union, D. D. Kendall.
National Farmers' Union, C. N. Rogers.
Iowa Corn Growers' Association, C. H. Richeson.
Iowa Threshermen's Association, Ennis Sterner.
Chicago Farmers' Union Live Stock Commission, Albert Fickler.

The federation, representing nearly 1,000,000 farmers, unanimously adopted the following resolutions:

We pledge our full and continued support to the agricultural marketing act and its administration.

We commend the Federal Farm Board for the earnest manner in which it has approached the marketing problems of American agriculture.

We believe that substantial progress has been made and that a number of fundamental principles have been definitely established in connection with the program for the present and future.

We wish to urge that existing farm organizations be upheld and encouraged to the fullest possible extent. The organizations were instrumental in the establishment of our cooperatives and in presenting the conditions and claims of American agriculture.

It is our opinion that the cooperatives could not long exist without the aid and support of the general farm organizations in carrying on legislation and educational programs to meet the changing conditions in marketing farm commodities.

The situation in the grain markets has become unbearable and grain is selling far below the price that the economic conditions of the country warrant, and since the Farm Board has proceeded to set up a stabilization corporation for wheat we urge that the corporation proceed to take whatever steps are necessary in the market to enhance and stabilize the price of this commodity at once.

We feel that this situation affords practical opportunity to demonstrate the effectiveness and value of the agricultural marketing act and its administration.

Present prices are disastrous to producers and cooperatives alike.

Therefore, we strongly urge that the Farm Board use its authority to secure immediate action on the part of the grain stabilization corporation to overcome this ruinous market condition.

We hope that the Farm Board will not stop short in bringing about equality for agriculture which was pledged to the farmers of the Nation during the last presidential election, and that it believes this goal will be much easier of achievement if farmers will become mem-

bers of the various helpful and constructive farm organizations and cooperatives which are in existence at this time and which have rendered such splendid service.

It is the sense of this meeting that in setting up the national sales agencies for any commodity the Farm Board should use every care to so establish them as to provide equal place and opportunity to all existing cooperative groups dealing in that commodity.

We believe that to designate any one such cooperative agency as the national sales agency for the commodity will inevitably lead to opposition and bitterness, and that such a thing should in no case be done.

A PROPOSED SOLUTION OF THE FOREST PROBLEM

Mr. LEAVITT. Mr. Speaker, I ask unanimous consent to extend my remarks by printing an article on the forestry problem, written by Ward Shepard, a member of the United States Forest Service.

The SPEAKER pro tempore. The gentleman from Montana asks unanimous consent to extend his remarks in the manner indicated in his request. Is there objection?

There was no objection.

Mr. LEAVITT. A short time ago a prize was offered by an anonymous donor, who, after the award was made, proved to be Gifford Pinchot, through the Society of American Foresters, "for the best essay describing the present forestry situation in the United States and proposing a nation-wide remedy for its solution." I am informed that the purpose in mind was to stimulate the study of the national problem of forestry and to bring out constructive suggestions for meeting it in an effective way.

The article prepared by Mr. Shepard was awarded this prize. It was prepared under the condition that all essays submitted must cover the actual forestry situation in the United States to-day; and propose a nation-wide remedy which will, if applied, solve the problem of a permanent and sufficient supply of forest products, and secure other benefits of forests essential to the public welfare; will be applicable in actual practice; and can be applied in time to meet the Nation's needs.

It has occurred to me, Mr. Speaker, that this essay should be made available to all of the Members of Congress and others who are sincerely interested in this important problem. It was printed in the February number of the *Journal of Forestry*. I have omitted one brief paragraph which refers to a diagram which can not be included in the *RECORD*.

The article is as follows:

COOPERATIVE CONTROL—A PROPOSED SOLUTION OF THE FOREST PROBLEM By Ward Shepard

SUMMARY

Destructive forest exploitation not only takes the ripe timber (which is, of course, legitimate); but it wholly or largely destroys young growth, seed trees, and residual timber, either by the logging process or by intentional or careless fires that inevitably accompany such exploitation. Thus the once vigorous forest is broken and degraded. Publicists, foresters, legislators, and progressive forest owners have struggled with the forest problem for many years. Space forbids even brief mention of their distinguished achievements, especially in public forestry, research, and fire control. Yet all competent observers know that destructive logging is almost universal in our private forests, even those of the largest and richest corporations; that deforestation is proceeding on a scale unparalleled in history; and that no serious effort is being made to improve the practices responsible for this disastrous dissipation of our forest resources.

(2) A Federal forest loan board and Federal forest banks to furnish long-term loans at reasonable rates to assist in carrying stumpage reserves, to finance constructive forestry, and to help finance the purchase and development of public forests.

To reinforce cooperative control and safeguard public interest against failure of cooperative effort, a treaty with Canada is proposed providing for joint measures to prevent deforestation and followed by an enforcement act giving the forestry boards authority to work out local methods to assure reforestation.

The plan proposed is based on full, democratic, localized participation by forest industries in working out reasonable reforms. Lack of space prevents detailed consideration of the specific quantitative objectives to be worked toward and the presentation therefore emphasizes the functional organization of the proposed plan. The present stalemate can be broken only by creating dynamic instrumentalities of action.

I have assumed that abundant forests of high quality will be demanded by America, because renunciation is not the philosophy of a creative civilization. I have assumed also that the Nation will be ready to pay for a system that will assure them. There is no more reason for "shoestring" financing of the vast forest enterprise than there is of the farm relief or flood control enterprises. The great need is for

a grand strategy, a national plan, that will unlock and creatively employ the abundant industrial and professional intelligence, good will, and energy available for the solution of the forest problem.

THE PROBLEM

The impact of modern industrialism, with its omnivorous appetite for raw materials, caught the forests of America unprepared either by public safeguards or by private traditions of forest culture to withstand the onslaught made against them. Now, greatly reduced in extent and disastrously impaired in vitality by 75 years of big-scale lumbering, they face further and unprecedented inroads with wholly inadequate safeguards. The public forests and a partial system of forest-fire control have somewhat restricted the field of destructive exploitation; but essentially in the great bulk of our forests lumbering has remained unchanged except that mechanization and intensive utilization have made exploitation more severe.

Not one group but the entire Nation is responsible for forest destruction; it has grown out of a faulty public-land policy and of our national attitude toward natural resources. The solution is therefore a national responsibility, in which the public must take the lead and bear the brunt of the cost. In this discussion the facts of forest destruction are presented frankly, not with any thought of individual blame but because the facts must be faced if a solution is to be found.

Fifty years of forestry have shown notable advances in forest conservation. Nevertheless three-fourths of our forests are still being handled by destructive methods of exploitation. Without implying the feasibility of nation-wide intensive silviculture, the fact of immediate importance is that at the minimum, logging methods can and should be improved to the point of assuring forest perpetuation during the transitional period of industrial readjustment, shifting ownership, and extensive nationalization. Beyond that is a large field for aggressively promoting big-scale industrial forestry.

The present forest situation demands that improved forest practices be actively worked out by public agencies and forest owners and industries jointly. Except for fire protection, practically no effort is being made for such a direct planwise attack. The plan now proposed is based on active cooperative control, coupled with direct public control where cooperation fails to protect the public interest.

The first need to this end is to create definite instrumentalities for cooperative control, as follows:

(1) Federal, regional, and (where needed) county cooperative forestry boards, which in cooperation with regional and local associations of forest owners and producers (a) would work out better forest practices and (b) with congressional sanction, would control production. The boards would promote and coordinate Federal, regional, interstate, and State forestry programs and legislation, and would strengthen planwise, nation-wide leadership.

Stripped of ambiguity, the forest problem, in its immediate aspects, is concerned with remedying the worst phases of destructive exploitation on some 350,000,000 acres, three-fourths of our entire forest area, and much the choicest part of it. In its ultimate aspects it will no doubt involve extensive nationalization and important industrial readjustments, but during this necessarily slow process forests must be kept in reasonably productive condition. We are not now concerned with intricate silviculture or ideal sustained yield forestry, but with those elementary steps needed to preserve forests from annihilation.

Analysis of the present instrumentalities of forestry reveals several weaknesses: The slowing down of the original impetus for forest conservation; inadequate forestry efforts by the States, in spite of heroic efforts by forestry and other agencies; and lack of adequate machinery for aggressive cooperative planning. Public forestry agencies are pretty fully occupied with their assigned tasks, and forest industries and owners are not sufficiently organized for public cooperation. The weakness of the forestry machinery is evidenced by the spasmodic, intermittent, and piecemeal character of the forestry movement. There is need of a grand strategy, a continental plan, a dynamic integration of all available means to the great end of rehabilitating our forests and forest industries.

COOPERATIVE CONTROL

The first step in the solution now proposed, therefore demands the creation of specific instrumentalities for cooperative control of forest exploitation and of overproduction and the financial strengthening of the forest industries. The progress made in fire control and in better utilization through cooperation between Government and industry indicates that the time is ripe for extension of joint effort to all phases of the forest problem.

The proposed plan is direct and definitive—i. e., it proposes an immediate pooling of the abundant good-will, knowledge, and skill available in industry and government by creating permanent cooperative agencies to set in motion the things that can be done locally and nationally. It proposes to develop the full possibilities of cooperation and it defines "cooperation" literally as "working together" in what Mr. Hoover has called the "difficult technology of conservation," rather than as a nebulous state of mind. It takes for granted that most forest owners are good citizens and are willing to collaborate. It assumes

that the Government is willing to adopt a policy of mastery and that the present moment is singularly propitious in great leadership and great action.

COOPERATIVE FORESTRY BOARDS

As the basic step for cooperative control, I propose the creation of a Federal Cooperative Forestry Board, Regional Cooperative Forestry Boards, and (where needed) county boards. The boards would be composed of men skilled in the economic, industrial, financial, and silvicultural problems involved. The regional boards, one for each of about 10 principal forest regions, would jointly represent Federal and State governments and forest industries and would be jointly financed. County boards would be appointed by the State foresters, and would serve without pay except for expenses.

The Federal board, financed by the Federal Government, would employ necessary assistants and would call on Federal forestry agencies for technical advice. The board would promote Federal forest legislation, regional and State cooperation, stabilization of the lumber industry, creation of a Federal forest bank system, cooperative improvement of forest practices, and coordination and expansion of Federal and State forest purchase. It would closely collaborate with the regional boards.

The regional boards would deal with problems common to the whole region, including concurrent legislation and interstate compacts on slash disposal, fire patrol, forest taxation, etc.; strengthening and coordinating Federal and State agencies and programs; organizing and conferring with forest owners and industries for cooperative control; and promoting educational and extension work. They would have important functions also in the control of production, as outlined later.

County boards would promote organized protection, demonstrations, conferences, and educational work, and would assist in carrying out State legislation on fire patrol, slash disposal, etc. Especially they would assist in organizing local forest owners as responsible agencies of cooperative control.

The forest boards would provide means for continuous consideration of forest needs and for coordinated aggressive planning, national and local. Through them the forest industries would participate in the responsibilities and advantages of cooperative control.

STABILIZATION OF THE LUMBER INDUSTRY

Cooperative control however, must not stop with the effort to develop better woods practices. It must strike also at the twin evils of overproduction and wasteful exploitation, both to conserve existing timber and to strengthen the industry to the point where it can become a constructive agency for forest perpetuation. The Government has every incentive to undertake this stabilization. From the immediate social standpoint, it is undesirable to have one of our greatest industries in a state of chronic ill health. When, in addition, this ill health expresses itself in permanent forest injury, the public interest demands a cure. Moreover, the Nation is responsible for the land policy which passed into private ownership those vast reservoirs of virgin timber which placed a staggering burden on private capital.

From the industrial standpoint the chief immediate purpose of controlled production is to assure better and more stable prices for lumber. At first glance this idea would not be popular; and yet, in principle, it is not unlike public control of railroad rates, which is so exercised as to assure the railroads a living return.

Control of production is difficult to attain because of the intense individualism and competition of the industry and because of the Sherman antitrust law. Cooperative control through the forestry boards previously described offers a solution.

I propose that (1) Federal legislation be sought permitting agreements between the Government and industry for control of lumber production coupled with controlled methods of exploitation; (2) that this control be exercised jointly by the Federal and regional forestry board in cooperation with regional associations of forest owners and lumber manufacturers; (3) that the Government organize credit facilities for the forest industries, partly to assist in carrying the immense burden of standing timber and partly to promote reinvestment of forest capital.

In return the regional associations would assist in working out reasonable standards of fire protection, slash disposal, and cutting methods. To make such standards effective and to assure controlled production, the regional association would have to represent a substantial proportion of forest ownership. Better credit facilities and control of production would give the industry a strong incentive to adopt better logging standards. Control by the boards would prevent abuse of the curtailment privilege. Regional control would be more flexible than national control.

A system of Federal forest banks would be controlled by a Federal forest loan board closely affiliated with the Federal cooperative forest board. Loans on standing timber would be amortized as the timber is cut. Loans for constructive forestry would be based on the productive capacity of the land as evidenced by cultural operations and adequacy of protection.

Forests handled for continuous yield would offer the best security for long-term loans; and as regional boards and associations progressively

improved forest practices, lands meeting high standards would receive the best terms in interest rate, length of loans, and appraised valuation. To afford basic security there must be a far more adequate public fire-control system.

The Government would not furnish the capital for the banks except to help start them. The banks would market long-term bonds on individual forest mortgages. Public control of the banks, association guarantee of bond issues, the basic security of forest property itself, and increasing standards of forest practice would give the safety needed for an ample flow of capital into forest production. Here again the principle of cooperative control would richly repay public and industry.

Loans should not be confined to private borrowers, but should be available to the Federal Government, States, counties, and municipalities for purchase and development of public forests. Public forestry furnishes absolute security for long-time investments. These banks would help to solve the problem of financing public-forest purchase.

DIRECT PUBLIC CONTROL OF DESTRUCTIVE EXPLOITATION

The foregoing plan for cooperative control would progressively improve forest practices and strengthen the forest industries to grapple with their economic problems. Unquestionably great numbers of forest owners would be willing to collaborate to this end. And yet from the public standpoint there is need for more definite safeguards, making certain elementary standard of forest practice obligatory on forest owners unwilling to work them out in cooperation with the forestry boards and associations.

The need and justification for public control grow out of world-wide struggles against deforestation of private forests, and may be summed up as follows:

(a) World evidence is against reliance on private initiative for forest safeguards without a large measure of organized control. Seventy-five years of forest destruction in the United States reinforce world experience. It would be idle to deny the grave economic obstacles in the way of private forestry, and the lack of tangible evidence of any important movement toward private forestry.

(b) European private forestry is largely a survival of feudal family pride in the permanent culture of landed estates. Modern industrial forest exploitation has an entirely different motivation, so that European private forestry furnishes no precedent for the evolution of American forestry.

(c) Reliance on supply and demand for forest perpetuation is, therefore, a dangerous gamble on continental deforestation. It is not enough that government should merely encourage private forestry; it must, on the contrary, create definitive safeguards against deforestation.

(d) Forest destruction represents not merely the destruction of private values, but the confiscation of basic social capital, which can be replaced only at immense public cost.

(e) Because of this destruction of social capital, public right outweighs property right. The assumption that government can not restrict destructive forest exploitation is an uncritical misinterpretation of the functions of private property. When the unrestricted use of property becomes a social hindrance the right of public control is dominant (for widely varying examples consider slavery, liquor traffic, railroads, urban building codes).

Any plan of public control must carefully protect property rights, give offsetting advantages, and be adapted to the temper of American institutions. It must be democratic and localized, patient of obstacles and shortcomings. Such a system would not be "un-American," unless Americanism is defined as the absence of social restraints.

In order to avoid constitutional obstacles to Federal exercise of the police power, I propose that a treaty be negotiated with Canada (and perhaps also with Mexico) providing for joint action to prevent the continued destruction of the forests of the North American Continent. Canada is equally concerned with the United States over widespread deforestation and equally dependent on the continental timber supply.

The migratory-bird treaty with Canada gives a precedent, though dealing with a different problem. Missouri contested the act to enforce the treaty, and the Supreme Court in upholding the treaty and act laid down sweeping principles that are not inapplicable to the forest problem. It said:

"Acts of Congress are the supreme law of the land only when made in pursuance of the Constitution, while treaties are declared to be so when made under the authority of the United States. We do not mean to imply that there are no qualifications to the treaty-making power. * * * It is obvious that there may be matters of the sharpest exigency for the national well-being that an act of Congress could not deal with but that a treaty followed by such an act could; and it is not lightly to be assumed that, in matters requiring national action, 'a power which must belong to and somewhere reside in every civilized government' is not to be found. * * * The treaty in question does not contravene any prohibitory words to be found in the Constitution. * * * No doubt the great body of private relations usually fall within the control of the State, but a treaty may override its power."

"A national interest of very nearly the first magnitude is involved. It can be protected only by national action in concert with that of another power. * * * We see nothing in the Constitution that compels the Government to sit by while a food supply is cut off and the protectors of our forest and our crops are destroyed. It is not sufficient to rely upon the States. The reliance is vain, and were it otherwise, the question is whether the United States is forbidden to act. We are of the opinion that the treaty and statute must be upheld."

The forest problem is a national, even an international, problem far transcending the interest of the individual States containing the forests. In watershed protection, forests perform a national function. Reliance on State action to prevent deforestation seems vain, for in practice concerted action by States is very difficult to attain. And yet the prevention of continental deforestation calls for the exercise of the sort of power that "must somewhere reside in every civilized government."

The enforcement of such a treaty, if entered into, should be carried out in a democratic, cooperative manner. Instead of an army of Federal agents enforcing regulations evolved in Washington, the forest boards and associations would locally work out simple methods to assure forest perpetuation. The purposes of such control would be to reinforce the cooperative control previously outlined and protect progressive owners from the competition of noncooperative owners.

PUBLIC FOREST PURCHASE POLICY

Lack of space forbids development of this subject. The inherent difficulties of long-time forest management, the constant threat of deforestation of private forests, and the unfairness and danger of relying on forced, reluctant, or lagging private effort point strongly to extensive world-wide forest nationalization. A major task of the forest boards would be to work out with the States a comprehensive nationwide Federal-State plan of forest purchase including delimitation of major purchase areas. Special emphasis should be laid on immediate protection and public control of vast areas of tax-delinquent lands. Purchases and permanent improvement should be in part financed by Federal forest banks, bonds to be retired from a sinking fund derived from forest receipts. Cooperative control would greatly strengthen public acquisition.

Public forest purchase has one major purpose: To perpetuate forests. The theory that the Government should purchase the worst lands to avoid competing with industrial forestry is a fallacy, as is conclusively demonstrated by the vast area of forests destructively exploited contrasted with the minute portion under private forestry management (see diagram). Public forest purchase therefore should give preference to high-grade restocking forests.

OTHER PUBLIC UNDERTAKINGS

This plan presupposes rapid completion and extension of all existing public undertakings, especially fire protection, research, planting, national-forest development, and forestry extension and education.

CONCLUSION

If our forests are to be perpetuated, the forest industries need to become forest minded instead of lumber minded. Cooperative control, working democratically through an interlocking system of forest boards, associations of forest owners and producers, and forest loan boards and banks, and dealing day by day with the intricate realities of better protection, better logging, better financing, and better control of over-production, would lead the industry to consider the merits of forestry and to bring forestry-minded men more into its higher councils. Cooperative control offers the industry a chance to perpetuate the sources of its power, of its greatness, and of its past contributions to the up-building of the Nation, and to redeem the civic responsibilities inherent in the stewardship of a great resource.

BENEFICIARIES UNDER THE FEDERAL FARM LOAN ACT

Mr. DAVIS. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting a letter from a former Secretary of Agriculture and also a letter from Mr. Legge, the chairman of the Farm Board, in regard to a certain feature of the Farm Board legislation.

The SPEAKER pro tempore. The gentleman from Tennessee asks unanimous consent to extend his remarks in the manner indicated. Is there objection?

There was no objection.

Mr. DAVIS. Mr. Speaker, under leave granted to me to do so, I herewith insert in the RECORD a letter from Hon. H. K. Bryson, a former commissioner of agriculture of the State of Tennessee, relative to membership in farm organizations, so as to entitle the members thereof to participate in the operations of the Federal Farm Board act. I referred Mr. Bryson's letter to Hon. Alexander Legge, chairman of the Federal Farm Board, and received a reply from Chairman Legge, which I am likewise inserting in the RECORD.

The two letters referred to are as follows:

FEDERAL FARM BOARD,
Washington, February 28, 1930.

Hon. EWIN L. DAVIS,
House of Representatives.

DEAR MR. DAVIS: Referring to the letter which you brought to our attention from Mr. Bryson, of Fayetteville, Tenn., which we are returning herewith, this problem has been a rather difficult one to straighten out.

After many discussions with the leaders of all the national farm organizations they have unanimously agreed that this requirement of having to join a general farm organization in order to participate in the commodity cooperative should be eliminated, and this is being done rather rapidly. However, there are some of the State units in these organizations who have certain investments in facilities used for cooperative purposes which have been paid for by members of one of these general organizations, and, naturally, it will take some time to adjust these matters in a way that will be fair to all.

In other words, we can not pretend that people who for years past have put in money to provide for an elevator, or any other facilities should have to be compelled to take in other members who would get the benefit of such facilities without assuming their pro rata share of the investment. However, substantial progress is being made, and, to-day, we are getting very few complaints on this, while they were very general some time ago.

Very truly yours,

ALEX LEGGE,
Chairman Federal Farm Board.

FAYETTEVILLE, TENN., February 22, 1930.

Hon. EWIN L. DAVIS, M. C.,
Washington, D. C.

DEAR MR. DAVIS: I feel a very great interest in the success of the Federal Farm Board, having been a farmer for so long a time. Hence, I trust you will pardon a suggestion, which I believe will add to its effectiveness and its popularity.

The board has stated time and again that it could only serve farmers who were connected with some established organization. A large majority of farmers do not belong to any organization, consequently can derive no direct benefit. They are unwilling to pay what they conceive to be excessive membership fees in order to become members of the Farm Bureau, or any other organization. In my opinion, it would not be wise to lower the fees to meet their complaint, but subsidiary organizations could be formed, allowing such members to share in some of the benefits, paying a nominal fee for membership, say, \$1, or even \$2.50, 50 per cent of this fee to go to the State organization and 50 per cent to go to the Federal Farm Board to defray the expense of such subsidiary organization.

I believe the Farm Bureau will willingly consent to this, for it would eventually lead to most of the members of the subsidiaries becoming full-fledged members in order that they might share in all the benefits of the bureau.

This plan you will readily see will not involve the Government in additional expense, for the membership fees will pay the expense. It will increase the popularity of the attempt to benefit the farmers and place them in a position later on, so that they may be so educated by organization, that they may more easily adopt the plan used in Germany, as suggested by Hon. David Lubin before his death.

If you think well of these suggestions, I will be glad if you will present the matter to Chairman Legge and get the benefit of his judgment.

Awaiting your reply, and with best wishes, I am,
Yours very sincerely,

H. K. BRYSON.

PERMISSION TO ADDRESS THE HOUSE

The SPEAKER pro tempore. Under the special order the gentleman from North Carolina [Mr. DOUGHTON] is recognized for 15 minutes.

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. DOUGHTON. Mr. Speaker, I feel I ought to apologize to the House for attempting at this late hour to address the House after hearing the very learned and eloquent address of our colleague from New York [Mr. SROVICH]. If I had not gotten into a mix-up on account of the change of the special orders, I would have had opportunity to address you last Tuesday instead of this afternoon.

I read in the Evening Star of Washington a few days ago an article in which it was stated that the gentleman from Connecticut [Mr. TILSON], the majority leader, had said that the Federal reserve law and the farm loan act were worked out

under previous Republican administrations. I am willing for every individual and every party to have all the political credit to which they are entitled. I believe credit should go to whom credit is due, and that honor should go to whom honor is due. I will read the statement, so that I may not do the gentleman from Connecticut injustice. I called his attention to the fact that I would discuss the matter this afternoon. I read:

The farm loan banking system was created in 1916 and not in 1913 and was the result of the investigations carried out by Republican administrations.

The Federal reserve act was worked out in previous Republican administrations.

As much as the Federal reserve law has been discussed and complimented for the past 15 years, I had never even heard it intimated before, much less asserted through a responsible source, that the Republican Party is entitled to any credit whatever for the enactment of this legislation. Had the gentleman stated that some individual Republicans supported the measure and were entitled to credit for such support, that would have been a fact. But I deny absolutely that the Republicans, as a party, are responsible in any way for this important legislation. They could with just as much justification claim credit for the discovery of America or for writing the Declaration of Independence.

No laws placed upon the Federal statute books within the last quarter of a century have been more widely discussed or more fully approved than the Federal reserve law and the farm loan act.

In the general election of 1910 the Democratic Party elected a majority of the House of Representatives. The panic of 1907 under Republican administration, with all of its blighting effects, was still fresh in the mind of Congress and the people of the country. In fact, this was one of the greatest financial disturbances, I might even say catastrophes, that the country had ever witnessed. One of the first things undertaken by the Democratic House was an investigation by the Committee on Banking and Currency into the causes that were responsible for the 1907 panic, as well as other similar occurrences, with a view to the enactment of remedial legislation to prevent a recurrence of such national disasters.

The Committee on Banking and Currency of the House, of which I had the honor to be a member, proceeded to conduct what was known as the Money Trust investigation, and much valuable information was secured, which was used to great advantage in writing the Federal reserve act. There was no doubt left in the mind of the committee that the banking laws then on the statute books were responsible for the great financial crash of 1907.

If the Federal reserve act was worked out by the Republicans in previous administrations, why did not those previous Republican administrations make effective their knowledge by some remedial, constructive legislation? If they did work it out, they are the more culpable for not carrying into effect the legislation which the country so badly needed. The Bible says:

The servant who knows his lord's will and does it not shall be corrected with many stripes.

In both the Republican and Democratic platforms of 1912 the need of currency reform, or reform in our banking laws, was mentioned. In fact, the Democratic platform severely criticized the Republican Party and the Aldrich bill, which was the solution offered by the Republican Party.

The Republicans in their platform as usual made some ambiguous promises but no definite commitments.

In 1912 the Democratic Party was successful in electing a President and a majority of both branches of Congress—House and Senate. Believing, as they always do, in keeping promises made before the election, the Democratic Congress proceeded immediately with the preparation of a bill providing an entirely new system of banking and currency, to be known as the Federal reserve banking act. This differed in almost every essential particular from the Aldrich bill and the scheme advocated by the Republican Party. Senator Aldrich had not only been chairman of the National Monetary Commission but he had also been chairman of the Senate Finance Committee for years and was the leader and the highest authority of the Republican Party on matters of finance.

The distinguished Senator from Virginia, Hon. CARTER GLASS, at that time a Member of the House and chairman of the Committee on Banking and Currency, stated that at every turn of the way, in working out the Federal reserve law in the committee and piloting it through Congress, he was met with stubborn opposition by the Republican leaders. When the bill finally came to a vote in the House, which is the real test as

to how each party stood on this very important legislation, the RECORD shows that the bill passed the House with 286 votes for and 85 against. Of the 286 affirmative votes, 251 were Democrats and 35 Republicans and Progressives—mostly, however, Progressives from the West and Northwest. Of the 85 votes against the bill, 83 were Republican and 2 Democratic. In other words, the Democratic vote stood 251 yeas and 2 nays. The Republican vote stood 35 yeas and 83 nays. About 2½ to 1 of the Republicans in the House voted against the bill. In the Senate, of the 54 votes for the measure, 50 were Democratic and only 4 Republican, and against the bill there was not a single Democratic vote. Nearly all the Old Guard Republican leaders in the House—including Fordney, Gillett, Madden, Mann, and Mondell—voted against the bill when it passed the House; also every Republican member of the Banking and Currency Committee except one voted against it. Of the Republican members on the Banking and Currency Committee, 5 voted nay, 1 yeas, and 1 paired against.

When the conference report was adopted, about 40 Republicans voted for it and about 58 against. Several of the Old Guard dodged and would not vote, among whom were Fordney, Gillett, and Madden. Also, quite a number of Old Guard Republicans in the Senate dodged on the conference-report vote, and only 3 voted for it. The Senate vote on the conference report was: Yeas, 40 Democrats and 3 Republicans; nays, 25 Republicans and no Democrats.

When I saw the statement the gentleman from Connecticut [Mr. TILSON] made, I immediately called on the Senator from Virginia, who in my judgment is entitled to much more credit than any other individual for the enactment of the Federal reserve law, and showed him the statement made by the gentleman from Connecticut, and asked him what basis there was, if any, for this statement. He said, "None whatever." I then asked him what assistance he had received from the report of the national monetary commission and he said, "None in reality." He further stated he not only received no assistance from the Republicans in working out this bill but that he had encountered the opposition of their leaders continuously.

The bill as proposed and passed by Congress not only met the disapproval but the severe and caustic criticism of many Republican leaders in Congress. It was furiously assaulted by Senator Aldridge and in a speech made by him in October, 1913, in New York City before the Academy of Political Science, on the subject of "Banking Reform in the United States," he savagely assaulted this bill, using such epithets as "flat money," "Bryanism," "greenbackism," declaring that it was socialistic and unconstitutional, and assigned 21 reasons or objections to it. Summarizing his objections, he said:

I have tried to show that the bill has serious defects. It appeals to the populists by adopting their plan of note issues; to the socialist by seeking to place the management of the most important private business of the country in the hands of the Government; it seeks the support of the bankers in great centers by its unexpected discrimination in their favor; but its dangerous doctrines and unwise methods do not appeal to the judgment of the American people. Its objectionable features have neither the support of public opinion nor the approval of the banking fraternity. They are contrary to the teaching of economists and they are not supported by the judgment of practical men. It threatens to upset business and to produce the evil results it was projected to cure.

In view of the needed reform, admitted even by the Republicans for many years during their incumbency, and of their complete failure to do anything to remedy the situation, and of their opposition at every step taken by the Democrats in the consideration and passage of the Federal reserve act, of their overwhelming vote against it, of the violent assault upon it by many of their leaders, then to come in at this late day, after the law has proven so successful and popular, and claim credit for it, appears to me to amount to almost brazen effrontery.

Of the long list of substantial achievements by the Democratic Party, including the Federal farm loan act, good roads law, parcel post law, Federal Trade Commission, Rural Free Delivery Service, creation of the Department of Agriculture, none has surpassed or equaled the Federal reserve act. Its success has been fully demonstrated by the most severe test in both war and peace. In fact, it has been admitted to be a masterpiece of financial legislation, and by its enactment the Republicans were so completely silenced that in their platform of 1916 they made no reference whatever to the matter of banking and currency. Does not everyone know that if this act had been "worked out," as claimed by the gentleman from Connecticut, in previous Republican administrations, the Republican platform would have "pointed with pride," as usual, to this legislation rather than to have passed it over in silence.

The merits of this law were described by the United States Chamber of Commerce as follows:

1. It has given business greater confidence in the ability of the banks to care for credit needs.
2. It has introduced an elastic currency and eliminated money panics.
3. It has eliminated extreme seasonal fluctuations in rates of interest.
4. It has brought business safely through the war and postwar crisis.
5. It has saved millions of dollars to business through its par payments system for check collection.
6. It has made the gold reserve more effective as a basis for credit extension in times of extraordinary demand.
7. It has aided in the financing of foreign and domestic trade by developing a discount market for acceptances.
8. It has provided a means for handling huge financial operations of the Government without interference with business.
9. It has aided in the reestablishment of the gold standard abroad.
10. It has given us an experienced banking organization which will assist us in meeting the future exigencies of business at home and abroad with courage and confidence.

The above statement from the United States Chamber of Commerce is quite different, indeed, from the view of this matter as expressed by Senator Aldridge, and the dire prophecies and caustic criticism heaped upon the measure by the Republican leaders.

The Republican Party is no more responsible for working out the Federal farm loan law than they are the Federal reserve act.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent to continue for 10 additional minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. HASTINGS. Will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. HASTINGS. I would like to be permitted to interject here that there was only one Republican Senator, namely, Senator Weeks, who voted for the final conference report on the Federal reserve act in the Senate.

Mr. DOUGHTON. I think there were three—Mr. Weeks, Mr. Poindexter, and Mr. Norris. Mr. Norris was a Progressive, but those three gentlemen were not Democrats. Messrs. Weeks, Norris, and Poindexter voted for the conference report in the Senate, and not a single Democrat voted against it.

It is true that most of the Republicans voted for the Federal farm loan law, but they only did so as a result of their experience in opposing and voting against the Federal reserve law. In their 1916 platform, shortly after the farm loan law had been enacted, they said, referring to rural credits, "We favor an effective system for rural credits as opposed to the ineffective law proposed by the present Democratic administration." This shows that they were ready to place all the blame on the Democratic administration if the law failed to work successfully.

The only way that I can possibly account for this desperate effort on the part of the Republican floor leader to claim credit for his party for these great Democratic measures is the very embarrassing and unenviable situation in which he and his party find themselves at this time. Having been in control of each branch of the Federal Government for the last nine years, electing a President in 1928 by the largest majority in the Electoral College ever given a candidate, and a large majority in both branches of Congress, he finds his party blindly stalling, stumbling, and blundering, hopelessly divided on almost every important question; his President evading responsibility by the appointment of commissions instead of demonstrating badly needed leadership, no one knowing where he stands on the tariff question, prohibition, Muscle Shoals, nor any of the acute questions now before the Congress.

Having maintained for more than 30 years that it was the party that guaranteed prosperity; that all that was necessary to keep the country prosperous and happy was a Republican President and a Republican Congress; and now when the country is staggering under the worst economic conditions ever known, it is not surprising that they try to claim credit for Democratic achievements.

Newspapers Saturday morning, March 1, carried figures based on the February unemployment survey by the American Federation of Labor as made public by President Green. This survey showed that in February 22 per cent of the union workers affiliated with the American Federation of Labor were out of jobs. This was an increase of 2 per cent over January and shows conditions to be growing steadily and rapidly worse in-

stead of better, as Secretary of Labor Davis and the newspapers controlled by the big interests have tried to make the country believe. The American Federation of Labor survey covered 670,000 trade-union members in 24 cities. There are approximately 5,000,000 trade-union workers affiliated with the American Federation of Labor, and 22 per cent of them, or approximately 1,100,000 are out of jobs. If that be true of union workers, with the prestige of their great organization behind them, how much more serious must be the situation among the unorganized skilled workers and numerous kinds of unskilled workers? This same survey showed 26 per cent of union workers idle in New York City, in St. Louis 49 per cent idle, and in Chicago 51 per cent, or more than half.

The business and unemployment situation throughout the country is not only serious but it is distressing and alarming. In 1928 the number of bank failures in the United States was 372, with liabilities of \$129,649,605. In 1929 the number was 437, with liabilities of \$218,796,582. This is an increase for 1929 over 1928 of 65 and the amount of the liabilities \$89,146,977. Compare this, if you please, with the bank failures under Democratic administration from 1916 to 1920, a period of four years; there were only 117 State-bank failures and 28 national-bank failures.

To show that business conditions have not improved thus far this year, as constantly claimed by the administration papers, Dun's Review for February 15, 1930, listed 566 commercial failures for the week ending February 14, 1930, as compared with 467 for the same week of 1929. Up to the middle of February of this year there had been a total of 3,436 commercial failures in 1930, as compared with 3,002 for the same period of 1929.

The same Dun's Review listed building permits in the major cities of the country and showed that the total of building permits for January of this year was \$83,564,000, as compared with \$169,133,000 for January, 1929, a falling off of more than 50 per cent. In New York the January permits dropped from \$77,000,000 to \$25,000,000. In Philadelphia from \$16,000,000 to \$2,000,000, and in Chicago from \$13,000,000 to \$5,000,000. A few cities, including Washington, showed an increase, largely accounted for by the Government building program in the Capital City. Yet conditions here with reference to unemployment are so bad that in the Evening Star of February 26 Director Jones, of the Department of Labor Employment Statistics Bureau, said that they were very much worse than last year or the year before. They are so bad, he said, that he declined to give any figures as to a comparison on the number of unemployed in Washington now and one year ago, because he feared the figures would have a very depressing effect.

If this is true in Washington, with the Federal Government spending scores of millions of dollars of the taxpayers' money for new and lavish buildings, what must be the conditions in cities where there is no such stimulus from the Treasury of the United States? Already there have been riots in Cleveland, Philadelphia, and Chicago, where the police have been called out to put down riots and demonstrations by suffering idle workers demanding jobs. Saturday's paper also gave a report of unemployment demonstrations in Oakland, Calif., in which several hundred jobless men participated, demanding work, some of whom were clubbed into submission by the police.

On Saturday last a Republican United States Senator introduced a resolution appropriating \$50,000,000 to relieve unemployment in this country. This fund to be expended by the Red Cross and the Quartermaster General of the Army to relieve the suffering caused by unemployment. He stated that there were from three to six million people out of employment. These people are jobless and hungry, walking the streets and highways willing to work, anxious to work—yes, begging and praying for work—but finding none.

These are only a few of the things that are happening and have been happening for quite a while under Republican administration, that not only guaranteed prosperity but pledged itself to abolish poverty, or at least said we were nearer that condition than ever before.

Certainly, if the Republicans could not have prevented this dire situation they could have refrained from making false promises and pledges, and that is my chief complaint against them. I hope their present sad experience, and the serious condition that now prevails throughout the country will, in the next campaign at least, deter them from attempting to secure a renewed lease of power on the false and fraudulent claim that Republican rule means immunity from financial distress, unemployment, and poverty.

Mr. Speaker, it is a tragedy almost that President Hoover had to call a Cabinet meeting on the first anniversary of his induction into office to consider the question of unemployment, but that is what he did. At the same time, we find Secretary

of Labor Davis saying that there are 3,000,000 idle working men in this country, and suggesting a great extra appropriation to be used by the President in alleviating unemployment.

Yet in the same paper we are told that the President is so confident that the unemployment situation is taking care of itself that it is no longer regarded as a problem by the administration. Oh Mr. Speaker, such inconsistent conduct and such ridiculous talk on the part of the administration is an insult to the intelligent manhood and womanhood of America. The President dares not appoint a commission to study and make a survey of and report on the present unemployment conditions. Such a report giving the number of the unemployed and the extent of the suffering would shock the country.

On another occasion, if I can get time, I shall submit some remarks on how to remedy present conditions. [Applause.]

WATER CONSERVATION AND FLOOD CONTROL

The SPEAKER. Under the order of the House the gentleman from Nebraska [Mr. JOHNSON] is recognized for 15 minutes.

Mr. JOHNSON of Nebraska. Mr. Speaker and fellow Members, this talk will naturally follow the remarks of the gentleman from Nebraska [Mr. SEARS] about a week ago on flood control and the conservation of waters in the Middle West.

Mr. Speaker and Members, a conference on water conservation and flood control was held at McCook, Nebr., January 27-28, 1930. This conference was attended by delegates holding commissions from the governors of nine States—Colorado, Kansas, Montana, Nebraska, North Dakota, Oklahoma, South Dakota, Texas, and Wyoming—with representatives of several other States participating, and with Hon. Arthur J. Weaver, Governor of Nebraska, as permanent chairman of the conference.

Montana: John S. James, State engineer.

Wyoming: John A. Whiting, State engineer; Charles B. Stafford.

Colorado: M. C. Hinderlider, State engineer.

North Dakota: R. E. Kennedy, Bismarck, N. Dak., State engineer.

South Dakota: Charles A. Trimmer, State engineer.

Kansas: George S. Knapp, State engineer.

Nebraska: Gov. Arthur J. Weaver; Dr. George E. Condra, dean of department of conservation and survey, University of Nebraska; Prof. Clark E. Mickey, civil engineering department, University of Nebraska; Roy L. Cochran, State engineer.

Oklahoma: Judge E. E. Blake, chairman of interstate commission for the control of the Arkansas and Red Rivers.

Texas: Hon. Leonard Tillotson, member of State house of representatives and general manager of the Brazos River conservation and reclamation district; Robert P. Hall, secretary of the Pease River and Red River district.

The following statement and declarations of policy were adopted and reported to the States participating:

THE STATEMENT

As a sound public policy we recognize the imperative need for consideration by the Federal Government of conservation of all our natural resources and especially of our agricultural soils and the fullest conservation and utilization of the water supply of the Nation.

We recognize and declare that annual losses of life and property and wastage of our natural resources have grown to such proportions as to constitute a national menace which calls for immediate action by the Federal Government for the purpose of alleviating such conditions.

Constructive action at this time for the protection and maintenance of the necessary functions of public service is of such importance to the general welfare of our country that adequate legislation should be no longer delayed by the Congress.

THE DECLARATION

We respectfully submit and recommend the adoption of the following declarations as expressing a constructive policy for the conservation of the water resources of the country:

1. We recommend that the Congress should adopt a national policy of stream regulation to conserve water and prevent floods.

2. We recommend that in the advancement of plans for the regulation of streams it be recognized that all the methods approved by engineering surveys and investigations be accepted in the accomplishment of such regulation, including storage of waters where and as may be found effective for regulation, and which will bring to the Nation and all regional areas the most beneficial uses available from the source of the rivers and their tributaries to the place of discharge.

3. We recommend any such amendments to the national flood control act, approved May 15, 1928, as may be necessary to make the general declarations of that act effective. We recognize as an indispensable factor in river control the establishment of flood-water storage on the tributaries of our rivers and emphasize the importance of the construction of such storage works as near the source of all tributary streams as is practical.

4. Soil erosion is recognized as the greatest waste of the heritage of the Nation, presenting to all constituted government a problem of

increasing seriousness alike in lessened production of essential agricultural products and as materially augmenting the problems of water conservation and stream control.

The conference further approved, in resolution adopted, the various acts of the Congress relating to flood control and water conservation and use.

Approved the designation by the Flood Control Committee of the House of Representatives of Congress, of a subcommittee empowered to draft amendments to the "act for the control of floods on the Mississippi River and its tributaries," approved May 15, 1928, that may be determined upon adequate investigation and consideration, helpful in effectuating the purposes of the act.

Approved action to secure adequate surveys of the tributaries of the Mississippi River, and for appropriations necessary therefor.

Approved cooperation on the part of the Federal Government, and all its departments, with the States or political subdivisions thereof, in conserving and utilizing the available waters of the country for the greatest public interest of the States, and of the general welfare.

This conference also adopted a set of far-reaching resolutions. I will only quote the fourth, which pertains more particularly to Nebraska.

Fourth. That it is the sense of this conference that the prosperity of the States drained by the western tributaries of the Mississippi River, and the food supplies of the Nation are directly dependent upon the use for agricultural purposes of the now wasted and destructive flood waters of these tributaries to supplement the natural precipitation so as to relieve great losses to agriculture caused by drought conditions, prevent loss of soil fertility caused by erosion and insufficient moisture for proper crop rotations, and stabilization of agricultural production and marketing by insuring the quality and quantity of agricultural products which is essential to the growth of our agriculture in the Middle West, to the industry and commerce of the Nation in times of peace, as well as being absolutely essential for the common defense of the Union in time of war.

[Applause.]

It is evident to me that the representatives of the said nine States attending this conference favor the purpose and substance of the Sears bill, H. R. 9376, which was introduced in this House three days after this conference was held. This bill makes provision for construction of storage reservoirs for run-off water on streams tributary to the Mississippi River.

Nebraska has two large tributaries, the Niobrara and Platte Rivers, which empty into the Missouri River, which is one of the largest flood-water carriers to the Mississippi. The Niobrara drains northwest and northern Nebraska. The Platte has two large tributary systems, the Elkhorn and the Loup, which empty into it just before it reaches the Missouri River.

In the fifth congressional district, which I represent, we have the Republican River, which heads in Colorado and runs through 250 miles of my district. There are eight tributaries from 60 to 150 miles long that empty their flood waters into it before leaving the State of Nebraska where it turns to the south into Kansas, and there it empties all its flood water into the Kansas River, which directly conveys the combined flood waters of the two rivers into the Missouri River at Kansas City. In 1903 it delivered 350,000 cubic feet of water per second at Kansas City, which of itself raised the flood tide 5 feet at Cairo, Ill.

The streams I have mentioned drain the entire State of Nebraska, part of Kansas, a little part of South Dakota, and a large part of Wyoming and Colorado, where the flood water flows fast and furious in the springtime.

There is not a more fertile soil anywhere than along the Republican River and its tributaries, and yet I have seen it ruined for the crop season several times by flood waters. Sometimes this river, which normally is only a few rods wide, becomes a mile or more wide for nearly the length of it, destroying bridges, railroads, soils, crops of fine alfalfa and corn, and often endangering human life. The Kansas people well know what it does to them when it reaches the Kansas River.

There are many excellent sites for storage reservoirs not far from any of the rivers mentioned where nearly all this run-off flood water can be stored; for instance in Gosper County, there is one canyon, estimated by engineers to be large enough to hold the full flow of the Platte River at flood tide for seven days, thus instead of being a menace to the country it would be a large factor in maintaining a balance between the lack and excess of water and heat, and stabilize our climate, which is semiarid. Sometimes the "semi" is dropped. At such times if these storage waters were used for no other purpose they could be released to flow down over the hot sands of the respective river beds, which are nothing but hot sands during the arid period. This would cause a rapid evaporation, which might be

conducive to more rainfall and a material change in the atmosphere and relief to life and crops. That it is feasible and practical, and that it is financially justifiable to build these storage reservoirs, is widely the opinion of the engineering profession. That it is a national problem for the protection of property and of life, and that the time and money required for flood control of this kind constitutes a safe national investment appears to be the consensus of universal opinion. It seems that nation-wide cooperation should be available at this time of general unemployment. So many different causes lead to that condition.

We commenced with a great deflation in 1920. The result of this was that hundreds of thousands of men lost their farms and they and their boys were largely thrown on the labor market. For a while industrialism could absorb the great surplus. And then that was overdone. Then the era of chain stores and banking and big business has worked to throw a constantly increasing supply of men from 40 years of age upward on the labor market. Added to this there is a constant influx by way of lawful immigration and unlawful entry. Added to our own surplus, we are absorbing several hundred thousand men into the ranks of our labor from the overplus of the rest of the world. The situation is on us and is going to remain with us for some time. It will not do for small communities, State, or national authorities to say that this is no affair of ours. Hungry men are dangerous men. They are not good, law-abiding citizens. Times of depression means that the surplus labor has been saving for old age and times of need is to disappear. It is a heartless and a dangerous policy for nations to shut their eyes to the fact of unemployment.

It is a duty that can not be shirked. Means must be found whereby labor shall be employed and not remain hungrily or dangerously idle. Our greatest statesmen have taken notice of that for years. It seems that the best way whereby idleness shall be avoided and labor shall be employed with decent remuneration shall be the undertaking of great public works that are needed in times of general unemployment.

The section of my country on the west side of the valley is part of the great stretch between the Rockies and the Alleghenies that now not only needs employment for the idle but also needs for its prosperity the completion of public works that will take possession of the flood waters of the valley and make use of those waters for the benefit of those people for all time. A proper system of public works that will conserve those waters will give employment to thousands of men for many years, and not only do that but the works will pay for themselves many times over in the different localities where they are situated and to the States and the Government itself. In place of men being on charity, with their savings gone, they will be self-respecting American citizens not only keeping what they have but adding to the country's wealth instead of adding to its dependency and liability. [Applause.]

Organized common sense should lead to increased utilization of the waters in these storage reservoirs on the tributaries to the large rivers. Flood control can be made to convert water into farm crops, and incidentally into annual crops of fish, muskels, birds, and fur-bearing animals. In addition, extend waterways and safeguard property and life.

The program for accomplishing this should begin immediately by encouraging the owners of lands to construct gates in already existing ditches, and to organize the control of the waters over areas already found to have been unwisely drained. State and Federal engineers should decide upon the location and development of a method of management for larger impoundments and regulation of water to prevent it becoming "flood water" farther down the stream.

Some of the benefits would be purely local, others widely distributed. The cost, therefore, should be carried in a small part by the owners of the property benefited directly, part by the community to be benefited by the improvements, but the major portion of the cost should be carried by the State and Federal Governments, which benefit by an improved general climate, larger interstate transportation, a happier and more prosperous people, and an increased freedom from destructive floods. Therefore if we work with nature rather than in opposition to her laws we can work out a more efficient, extended, useful, and suitable system of retention reservoirs and natural floodways, designed to secure a better distribution of water to further all economic uses. We can protect our soils, our bridges, our crops, and our lives. [Applause.]

PRESIDENT THOMAS G. MASARYK

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for three minutes.

The SPEAKER. The gentleman from Illinois asks unanimous consent to address the House for three minutes. Is there objection?

There was no objection.

Mr. SABATH. Mr. Speaker and gentlemen of the House, to-day the first President of the Republic of Czechoslovakia, Thomas Garigus Masaryk, statesman, philosopher, humanitarian, and with him his country, are celebrating his eightieth birthday. This distinguished statesman has devoted the greatest part of his life to the service of his fellow men and the liberty and freedom of his country.

The life of this eminent statesman and the Czechoslovakian Republic has been closely interwoven with our country. The constitution of Czechoslovakia was written in the United States by Prof. Thomas Garigus Masaryk and is in a great measure modeled after our own. It was written in 1918, immediately after the issuance of the Lansing declaration proclaiming the sympathy of the United States to the cause of Czechoslovakian and Yugoslavonian independence.

For years he has unceasingly devoted his energies in aiding in every conceivable manner to obtain freedom and liberty for his people and his country, which has been their dream and hope for centuries and generations. He is revered and honored not only in his land but by all enlightened statesmen and liberty-loving people throughout the world.

There being no precedent of passing a resolution of congratulation in this House, I feel satisfied that the President, in behalf of the American people, will extend to him our country's congratulations and best wishes. [Applause.]

Mr. Speaker, I ask unanimous consent that I may add to my remarks a short editorial appearing in this morning's Post on the activities of President Masaryk.

The SPEAKER. The gentleman from Illinois asks unanimous consent to include in his remarks an editorial appearing in this morning's Post on the life and activities of President Masaryk.

Is there objection?

There was no objection.

The editorial referred to follows:

PRESIDENT MASARYK

This is the eightieth birthday of President Thomas G. Masaryk, of Czechoslovakia. Providence has been benign to both the nation and its founder. His preparation for the supreme test was providential. He struggled in imperial politics, traveled and studied political systems, and made himself a master of the art of government. When the time came for his country to be free he was qualified to draft its declaration of independence and its fundamental charter. Then, through 12 years, he was spared to guide the infant Republic through vicissitudes well-nigh as dangerous as war. He remains in good health, with the prospect of many more useful years as the head of his country.

Doctor Masaryk went around the world during the war, incessantly working for the Allies and for the liberation of his countrymen. He directed the strategy of the Czechoslovak army that made the renowned journey from Europe through Russia across the Pacific to the homeland. It was in Washington that Masaryk drafted the declaration of independence. At first it was a demand for autonomy, as the break-up of the Austro-Hungarian Empire was not clearly foreseen. But as the United States delivered its smashing blows late in 1918, Doctor Masaryk perceived that independence, and not mere autonomy, was the destiny of his country. On the advice of friends in Washington, he boldly proclaimed independence and received immediate recognition from the allied powers.

The Republic of Czechoslovakia is a lighthouse in central Europe. Its constitution is a model upon which other nations can build self-government if they will. With the keenest insight, Doctor Masaryk worked out a structure of government suited to his people and to the problems of their environment. His work is lasting. In many respects it resembles the constructive statesmanship of George Washington. Like Washington, he is the father of his country, and while he is alive he receives the salute of liberty-loving men in all countries. His name will stand forever on the corner stone of Czechoslovakia.

JUSTICE HOLMES AND THE SUPREME COURT

Mr. McSWAIN. Mr. Speaker, to-morrow Mr. Justice Holmes, of the United States Supreme Court, will be 89 years old. I ask unanimous consent to extend my own remarks in connection with his public services.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. McSWAIN. Mr. Speaker, March 8, 1930, Mr. Justice Oliver Wendell Holmes, of the United States Supreme Court, is 89 years old. This is a fact to challenge our attention and to give us pause for contemplation. Doubtless hundreds will be speaking the praises of this great American on the eighty-ninth anniversary of his birth. This universal admiration for the public services and for the private character of Justice Holmes is convincing proof of the soundness of the American heart. Some critics have complained that Americans admire only the man who is successful in material and monetary matters. But the charge is unfounded. Of course Ameri-

cans, in common with normally minded persons of every nation and country, admire success in any line as an evidence of personal power and of individual achievement. The world admires the military career of Napoleon Bonaparte but condemns his selfish ambition that perpetuated a state of warfare in Europe for well-nigh a generation.

But when we find all Americans of all groups and sections, both the so-called conservative and reactionary part of the population, as well as the so-called progressive and forward-looking part, uniting in praise for Justice Oliver Wendell Holmes it is significant of the genuine feelings and opinions of the American people. For Judge Holmes has gone about his work in a simple and unostentatious manner; he has not amassed a fortune; he lives simply within the salary provided for his office; he is not a spectacular personality; rather is he a matter-of-fact, workaday world, unobtrusive, and perfectly natural man. Though born in an intellectual aristocracy, with the highest social surroundings, with the best possible educational opportunities, with the inheritance of a great name, with a brilliant career as a soldier sealed by his own blood and testified to by the enduring scars, he nevertheless has built a place for himself upon his own individual and personal accomplishments as a lawyer, as a teacher of law, as a philosophical commentator upon the history and doctrines of the law, and as a judge on the Supreme Judicial Court of Massachusetts and on the Supreme Court of the United States.

We could forget his father, we could ignore his education, we could wipe out his record as a soldier, and yet the personality and the official career of Justice Holmes would remain undiminished and would continue to find its full place in the mind and heart of the American people.

Ordinarily the services of a judge, however eminent, go unnoticed by the masses of the people, though approved and appreciated by the legal profession. Ordinarily the judge may hope to live only in the history and traditions of the bench and the bar. But there are certain outstanding exceptions. Preeminent among the conspicuous exceptions is the case of Mr. Justice Holmes. Though he might shun publicity, though he makes no bid to catch the popular fancy, though he avoid the reporter and the biographer, yet the attention of our people is increasingly centered upon the great judge, who grows stronger in their affections as he seems to grow broader in his sympathies and as he grows older in years and riper in service. What is the explanation of this unusual situation? It is something more than the mere fact that he is 89 years old. It is something more than that he retains at this advanced age his vigor of body, his clarity of mind, and his sprightliness of spirit. It must be the fact that in spite of his hereditary influences and surroundings, in spite of educational and local traditions, in spite of the isolated life of a judge, he is manifestly and exceptionally human and natural in both his manner of life and his official labors.

This humanness and naturalness, so unusual and unique, is what the books call "philosophy." Philosophy means merely that love of wisdom which has for its beginning understanding. The law is simply the rules prescribing human relationships. To understand these rules one must understand that humanity among whom the relationships exist. That understanding is attained only when selfishness and prejudice and partisanship are put out of view. Then, one sees facts face to face; then, understanding is possible; such a person is described as a philosopher.

By this test Mr. Justice Holmes is a philosopher. Such a philosopher must understand history, not the history merely of a period nor of one nation, nor of a race only, but all history. Such knowledge drives out dogmatism; such knowledge sets the mind free; such knowledge reflects itself in the living and the thinking of a man. Every human being is to a limited extent a philosopher, and certainly sufficiently to recognize another person who possesses philosophy to a preeminent degree. For this reason all classes, educated and uneducated, rich and poor, socially prominent and socially obscure, recognize that Mr. Justice Holmes is in the highest and truest sense a philosopher. They believe that no extraneous dust interferes with his judicial eyes; they feel that justice is safe in his hands. They have had repeated proofs of his toleration and broadmindedness.

They know that he believes in freedom—freedom of speech, freedom of action, freedom of competition, freedom for individual development. They know that he has the strength and courage to defend freedom of speech, even when he does not agree with the opinions uttered by the speaker. Our people may not all know what Voltaire said when he wrote—

I do not agree with what you say, but I would give my life to protect your right to say it—

but in the heart of every free man this sentiment lies implicit and rises to respond to its every utterance.

Mr. Justice Holmes certainly comprehends the true philosophy of the American Federal system. He is a genuine defender of the Anglo-Saxon doctrine of local self-government. The preservation of that doctrine as applied to the practical administration of government is essential to the perpetuity of free America. Consequently we find Mr. Justice Holmes insisting that the fourteenth amendment should not be used to shut off the right of experimentation in legislative matters in the several States. Wisely he insists that each State must be permitted to determine its own policies as to domestic matters. Though one or more or many of the States may enact internal legislation repugnant to his individual conception of what is best, he refuses to exercise his power as a part of the Supreme Court of the United States to deny the right of the several States to adopt governmental practices, novel and unusual, and perhaps radical, though they are.

He recognizes his duty and his mental attitude as a member of the Supreme Federal Court as different and distinct from what it would be if he were a legislator in the State of Massachusetts. If a majority of the court had always been free from this unconscious bias, and had possessed the breadth of vision of Justice Holmes, there would have been less complaint against the court. We are happy that complaints about the court have been very few, and we are exceedingly happy that such complaints are constantly growing fewer. In my humble judgment, the Supreme Court of the United States at no time in our history has possessed so fully the confidence of the people as it does to-day, and no little part of this confidence is doubtless due to the influence and work of Mr. Justice Holmes.

Therefore, it is gratifying to Americans to find that the personal greatness and the judicial preeminence of Mr. Justice Holmes, is recognized in other countries. We are pleased to note the just and able estimate and tribute published in *Harper's Magazine* for March, 1930, and written by Prof. Harold J. Laski, of the chair of political science in the University of London. I extract these few striking and impressive sentences for the purpose of giving a wider circulation to the opinion of an English scholar, concerning this great American judge.

He [Justice Holmes] has proved again the simple secret that a great judge must be a great man. He must have a full sense of the seamless web of life, a grasp of the endless tradition from which we can not escape. He must be capable of stern logic, and yet refuse to sacrifice to logic the hopes and fears and wants of men. He must be able to catch a glimpse of the ultimate in the immediate, of the universal in the particular. He must be statesman as well as jurist, thinker as well as lawyer. What he is doing is to shape the categories through which life must flow, and he must have a constant sense of the greatness of his task. He must know the hearts of men, and yet ask to be judged from the conscience of their minds. He must have a constant sense of essential power and yet be capable of humility in its exercise. He must be the servant of justice and not its master, the conscience of the community and not of its dominant interests.

He has recognized, as some of his colleagues have failed to recognize, that the American Constitution does not forbid experiment but asks only that experiment shall be tender to established expectation. He has never sought as, again, some of his colleagues have sought, to establish it as a standard to which other men must necessarily conform. His life on the bench has been a process of learning, a recognition that habits and principles change, that each truth must be born of some one's experience, that a golden rule is only too often an instrument of persecution. In the result he has always kept step with the march of the age. He has seen that his task is not the satisfaction of a dead past but the considered response to a living present.

He [Justice Holmes] has been a great judge because he had never ceased to be a philosopher. He has sought always to find his way from the little fact to the secrets of the universe. By temperament a skeptic, by training a scholar, one sees in his whole attitude to life the qualities which make for wisdom. He has never ceased to inquire. He has never been satisfied to stay still. He has never accepted traditional knowledge because it is traditional. He has never been content to accumulate learning merely for its own sake. His life has been passed in seeking to discover what are the right questions to ask.

For Justice Holmes has known that great thoughts come only to men who are capable of heroic self-sacrifice. Every man who is to confront the impenetrable universe proudly must, Galileo-like, face an inquisition none the less formidable because it is ceaselessly active in his own heart. To such a philosophy, optimism is a little crude and the pessimist confounded by the fruits of the yearning to know.

It is significant that he has always been loved by the young and that, down to this hour, they have never felt oppressed by the burden of his years. Partly that is because he takes endless pains to understand them; partly because he is always anxious to give them of his

best. No man of our times has been so eager to know the best there is in the experiment of the moment. No thinker, no poet, no scientist, but he is anxious to sample lest he omit some experience of what may prove precious in the heritage.

But that love of America has never been narrow or exclusive. It is not a denial of alien experience or an unwillingness to admit the value and validity of alien tradition. Nor is it merely a pride in bigness, the worst illusion of the petty mind. He has the cosmopolitanism of the great scholar, the sense that knowledge overleaps national boundaries, the power to cooperate with others that comes of the feeling that the task is great and the individual small. And his skepticism has never allowed him to build a sense of values merely in American terms, because he knows how wide and complex is the inheritance of America. No one whose mind, like his, has sought to glimpse the whole intellectual heritage of the human race can ever remain prisoned in a jealous patriotism.

These are two classes of judges; the first made up of the statesman-lawyer type who takes a broad and liberal view of his obligations, not only as to the litigants in the case before the court but also to society generally, and especially to future generations. John Marshall was an outstanding example of this type of judge. Fortunately for our Nation, we have had many such judges on our State supreme courts and on the United States Supreme Court. Outstanding among all such is Mr. Justice Holmes. He does not regard the Constitution as a strait-jacket, setting up a multitude of inhibitions to prevent States and the Federal Government from discharging obligations to the day and generation in which we live.

The other group of judges may be described generally as mere lawyer type. With ample knowledge of the doctrines and decisions of the law, with highly trained and discriminating minds, they never exactly get out of the habit of advocacy. It is so natural to form a conclusion of how a case ought to be decided and then to bend all energies by searching the face of the earth for decisions and commentaries to establish the particular thesis prematurely arrived at. These judges are just as honest and just as patriotic as the first class mentioned, but, not possessing the true philosophical spirit, they can not throw off the restraints of intellectual habits and can not forget the impressions acquired during a long, successful practice.

But we need more judges of the type first mentioned on both our State supreme courts and the United States Supreme Court. State constitutions and the Federal Constitution ought to be construed in the light of common sense and with the understanding that their makers used general language wherever possible, and where particular language was used they generally intended that such particular language should have a general interpretation so that such constitutions may continue as a framework of government from one generation to another and be so elastic as to meet the changing conditions of society and to apply to the changing instrumentalities of economical life.

Undoubtedly, supreme courts are in many cases lawmaking bodies. It is an undisputed, logical proposition that whoever has the interpretation of language has in fact the final employment of language. Every supreme court in every case involving a construction of a constitution, to the limit of the words brought under its review in the particular case, is a constitutional convention. The Supreme Court of the United States has been a continuing constitutional convention since the court was organized in 1789.

It is therefore highly important that the electing or appointing power in selecting recruits for the supreme courts of the States and of the Nation, should examine most carefully the mental and moral make-up of the persons under consideration. It by no means follows that every great lawyer will make a useful and wise supreme court judge. Oftentimes lawyers achieve professional eminence on account of a particular aggressiveness and polemic disposition that entirely unfit such persons, after arriving at the age of 50 years or more, to assume the rôle of an impartial and nonpartisan searcher after truth and justice in a genuine philosophical spirit.

For this reason, therefore, I have ventured to make the suggestion that judges ought to go through a period of preliminary service upon inferior courts before selection for a supreme court. During this period of service in inferior courts the judges display their judicial characteristics, and those judges that have manifested the spirit of philosophy, that have shown themselves to be forward looking, that have displayed broad-mindedness and great human tolerance, should be selected to supply vacancies upon the supreme courts.

In this way no chance will be taken as to the qualifications of the personnel of the supreme courts. To appoint a great lawyer, who has had no judicial experience, is certainly an experiment. He may prove himself a great judge, as did John Marshall, or he may prove himself to be a great disappoint-

ment. During the preliminary service suggested all would have a try out and no mistakes need be made.

This system would have another beneficial influence upon the judiciary. Lawyers would be more anxious to accept positions on the lower courts when they recognize that it is the only avenue and means of approach to the Supreme Court. Having obtained selection to the lower courts, they would then vie with each other in the discharge of their duties and in approaching their work in the right spirit, and in developing their latent philosophical talents, in order to commend themselves to the selecting or appointing powers when vacancies occur on the supreme courts. The direct and undisputed result would be an elevation of the tone and a lifting of the type of work and a stimulation of the energies of all the judges of the inferior courts, and would result in the choice of the very best material for the Supreme Court.

Twice before I have brought to the attention of the House and the country my estimate of the public services of Mr. Justice Holmes. The first case was on March 8, 1926, and the second was on March 8, 1928. The only reason that I did not mention the matter on March 8, 1927, and on March 8, 1929, was that Congress was not then in session. I reproduce the following brief extracts from my remarks on those occasions:

Mr. Speaker, at this point I produce some thoughts spoken by me in this connection two years ago relating to the matter of appointments of judges. The longer I live and the more I study the law and especially our American constitutional system, the more I am convinced that the stability of our institutions depends more upon the character of the judges and the quality of their decisions than it does upon any legislation that Congress or the various State lawmaking bodies may enact. Statutes are but general abstractions to the individual citizen. But when the citizen meets the statute face to face in court and finds his individual property and liberty and life measured in terms of statutes and of common law he finds them measured from the lips of an individual judge—his fellow American, his fellow mortal, and his fellow citizen.

It is a terrific responsibility for one American citizen to be lifted to the position of judge over and above and among his fellow American citizens. If the judge by his language and his conduct shows that he is conscious of his responsibility, that he feels his moral unworthiness to sit in judgment upon the property and liberty and life of his fellow citizen, but that he discharges his duty not as a personal prerogative but as a solemn official function, then the individual citizen before him and all witnesses to the solemn ceremony will turn away with a feeling of resignation and submission to the law.

But if the judge is petulant and arrogant, if he assumes a personal superiority, and acts as though the person before him had committed lese majesty, as though exercising power by divine right, then the individual whose conduct is measured by the legal standard and the witnesses turn away with resentment and with rebellion in their hearts. If this feeling was sufficiently widespread, the security of the Government might be imperilled. For this reason I contend that the selection of judges for all grades of Federal courts is the highest responsibility that rests upon the President. I congratulate President Coolidge that in two very recent nominations he has ignored party politics in order to vest judicial responsibility in men whose character and abilities would insure its rightful and wise exercise.

There are 161 United States circuit and district judges and 217 justices of supreme courts. All these have been tried and found either fit or wanting. They have either manifested some of the ideal judicial qualifications or they are simply holding a mediocre average. Would it not be an inspiration for all of these judges to feel their work, their careers, their conduct, are constantly under the observation of those having power to say "come up higher"?

If the justices and judges of the courts above named realized that the vacancies upon the Supreme Court of the United States would be filled by the promotion of those already exercising judicial office, it certainly would stimulate their energies, and the effect would be not only to find the fitted material for the Federal Supreme Court, but would attract and hold much better material to the lower courts.

Talented lawyers would thus be encouraged to accept the humbler stations as stepping-stones to the great goal of any lawyer's ambition. Judges would be fired by a praiseworthy ambition so to serve as to deserve promotion. Then our great judicial keystone that completes the arch of our constitutional structure would always be composed exclusively of tested material. Then there would be no disappointments and misfits. There would be higher proficiency and great efficiency all along the line. Confidence in the courts would undoubtedly increase. Complaints should certainly cease. This suggestion is put forth with great humility and respect.

MOTOR BUS BILL

Mr. MICHENER. Mr. Speaker, by direction of the Committee on Rules I present a privileged resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from Michigan offers a resolution, which the Clerk will report.

The Clerk read as follows:

House Resolution 172

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 10288, a bill to regulate the transportation of persons in interstate and foreign commerce by motor carriers operating on the public highways. That after general debate, which shall be confined to the bill and shall continue not to exceed six hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and the amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. MICHENER. Mr. Speaker, this resolution makes in order H. R. 10288, which has commonly been designated as the motor bus bill. Six hours will be permitted for general debate, at the conclusion of which time the bill will be read under the 5-minute rule for amendment. The bill is accompanied by a report made by the committee which is very complete. It shows, however, that there is some controversy between the members of the committee as to the various provisions of the bill. It was felt, therefore, that six hours might be required for general debate. No time is desired on the rule on this side. Does the minority desire any time on the rule?

Mr. BANKHEAD. No; we do not desire any time on the rule.

Mr. MICHENER. The bill will be fully explained by the legislative committee reporting it.

Mr. Speaker, I move the previous question on the resolution. The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

RECESS

Mr. MICHENER. Mr. Speaker, the floor leader is absent momentarily from the floor. I think he desires to submit a unanimous-consent request on his return, and I therefore ask unanimous consent that the House stand in recess, subject to the call of the Speaker on the return to the floor of the floor leader.

Mr. BANKHEAD. Mr. Speaker, reserving the right to object, which I shall not do, I understood there was a tentative agreement that there would be no objection to a unanimous-consent request that the House when it adjourns to-day adjourn until Monday. I do not see why the gentleman from Michigan can not make that request in the absence of the majority leader.

Mr. MICHENER. The gentleman from Michigan will state that he did not confer fully with the floor leader, and it may be that the floor leader desires to make some other requests.

The SPEAKER. The Chair understands the gentleman from Connecticut [Mr. TILSON] desires to submit that unanimous-consent request, and also to make some statements in regard to the conduct of the bill next week. The Chair understands the gentleman will be here in a few minutes.

Is there objection to the request of the gentleman from Michigan [Mr. MICHENER]?

There was no objection.

Accordingly (at 3 o'clock and 21 minutes p. m.) the House stood in recess to meet at the call of the Speaker.

AFTER RECESS

The House was called to order by the Speaker at 3 o'clock and 22 minutes p. m.

ADJOURNMENT OVER

Mr. TILSON. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet on Monday next.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that when the House adjourns to-day it adjourn to meet on Monday next. Is there objection?

There was no objection.

Mr. TILSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TILSON. Mr. Speaker, may I inquire what the rule just adopted provides?

The SPEAKER. The rule merely provides that at any time a motion may be made to go into Committee of the Whole House on the state of the Union.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2828. An act authorizing commissioners or members of international tribunals to administer oaths, to subpoena witnesses and records, and to punish for contempt; to the Committee on the Judiciary.

ENROLLED JOINT RESOLUTION SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H. J. Res. 210. Joint resolution to authorize an appropriation for the expenses of official delegates to the Fourth World's Poultry Congress, to be held in England in 1930.

The SPEAKER also announced his signature to an enrolled bill of the Senate of the following title:

S. 2093. An act for the relief of the State of Alabama for damage to and destruction of roads and bridges by floods in 1929.

ADJOURNMENT

Mr. TILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 26 minutes p. m.) the House adjourned until Monday, March 10, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Saturday, March 8, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON WAYS AND MEANS

(10 a. m.)

To create in the Treasury Department a bureau of narcotics (H. R. 9053).

EXECUTIVE COMMUNICATIONS, ETC.

360. Under clause 2 of Rule XXIV, a letter from the Secretary of the United States Civil Service Commission, transmitting report of an accumulation of papers which are not needed in the transaction of public business and have no permanent value or historical interest, was taken from the Speaker's table and referred to the Committee on Disposition of Useless Executive Papers.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. McFADDEN: Committee on Banking and Currency. H. Res. 170. A resolution requesting the Secretary of State to furnish information relative to the participation of the Federal reserve system in the organization or operation of the Bank for International Settlements; without amendment (Rept. No. 855). Referred to the House Calendar.

Mr. McFADDEN: Committee on Banking and Currency. H. Res. 171. A resolution requesting the Secretary of the Treasury to furnish information relative to the participation of the Federal reserve system in the organization or operation of the Bank for International Settlements; without amendment (Rept. No. 856). Referred to the House Calendar.

Mr. SWING: Committee on Expenditures in the Executive Departments. H. R. 6127. A bill to authorize the payment of checking charges and arrastre charges on consignments of goods shipped to Philippine Islands; with amendment (Rept. No. 857). Referred to the Committee of the Whole House on the state of the Union.

Mr. ARENTZ: Committee on Irrigation and Reclamation. H. R. 200. A bill granting the consent of Congress to compacts or agreements between the States of Colorado, New Mexico, Utah, and Wyoming with respect to the division and apportionment of the waters of the Colorado, Green, Bear or Yampa, the White, San Juan, and Dolores Rivers, and all other streams in which such States or any thereof are jointly interested; with amendment (Rept. No. 858). Referred to the House Calendar.

Mr. ARENTZ: Committee on Irrigation and Reclamation. H. R. 201. A bill granting the consent of Congress to compacts or agreements between the States of Colorado, Nebraska, and Wyoming with respect to the division and apportionment of the waters of the North Platte River and other streams in which such States are jointly interested; with amendment (Rept. No. 859). Referred to the House Calendar.

Mr. ENGLEBRIGHT: Committee on the Public Lands. H. R. 3820. A bill to amend section 1 of the act entitled "An act to provide for stock-raising homesteads, and for other purposes," approved December 29, 1916; with amendment (Rept. No. 860). Referred to the Committee of the Whole House on the state of the Union.

Mr. McLEOD: Committee on the District of Columbia. H. R. 9182. A bill to prevent professional prize fighting and to authorize amateur boxing in the District of Columbia, and for other purposes; with amendment (Rept. No. 861). Referred to the Committee of the Whole House on the state of the Union.

Mr. McLEOD: Committee on the District of Columbia. H. R. 9996. A bill to amend the act entitled "An act authorizing the Commissioners of the District of Columbia to settle claims and suits against the District of Columbia," approved February 11, 1929; with amendment (Rept. No. 862). Referred to the Committee of the Whole House on the state of the Union.

Mr. REID of Illinois: Committee on the District of Columbia. H. R. 9602. A bill to amend the act of Congress approved March 16, 1926, establishing a board of public welfare in and for the District of Columbia, to determine its functions, and for other purposes; without amendment (Rept. No. 865). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. HOFFMAN: Committee on Military Affairs. H. R. 2185. A bill for the relief of Edwin G. Blanchard; with amendment (Rept. No. 854). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 320. A bill for the relief of Haskins & Sells; with amendment (Rept. No. 863). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 3178. A bill for the relief of the Allegheny Forging Co.; with amendment (Rept. No. 864). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 7620) granting an increase of pension to Hannah J. Macy, and the same was referred to the Committee on Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLACKBURN (by request): A bill (H. R. 10573) to amend the World War veterans' act, 1924; to the Committee on World War Veterans' Legislation.

By Mr. GOODWIN: A bill (H. R. 10574) to reenact and amend the act of November 23, 1921, entitled "An act for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 10575) to authorize the erection of an addition to the hospital at Fort Snelling, Minn., and to authorize the appropriation therefor; to the Committee on World War Veterans' Legislation.

By Mr. SIMMS: A bill (H. R. 10576) to authorize exchange of lands with owners of private-land holdings within the Chaco Canyon National Monument, N. Mex.; to the Committee on the Public Lands.

By Mr. ZIHLMAN: A bill (H. R. 10577) authorizing the acquisition of certain real estate in the city of Washington to be a part of the park system of the District of Columbia; to the Committee on the District of Columbia.

By Mr. EDWARDS: A bill (H. R. 10578) to authorize an appropriation for the construction of shore-protection works at Fort Screven, Ga.; to the Committee on Military Affairs.

By Mr. RUTHERFORD: A bill (H. R. 10579) to provide for the erection of a suitable memorial to the memory of Col. Benjamin Hawkins, at Roberta, Ga., or some other place in Crawford County, Ga.; to the Committee on the Library.

By Mr. GRAHAM: A bill (H. R. 10580) to provide fees to be charged by clerks of the district courts of the United States; to the Committee on the Judiciary.

By Mr. ENGLEBRIGHT: A bill (H. R. 10581) to provide for the addition of certain lands to the Yosemite National Park, Calif., and for other purposes; to the Committee on the Public Lands.

Also, a bill (H. R. 10582) to provide for the addition of certain lands to the Lassen Volcanic National Park in the State of California; to the Committee on the Public Lands.

By Mr. HOCH: A bill (H. R. 10583) to provide for the method of measurement of vessels using the Panama Canal; to the Committee on Interstate and Foreign Commerce.

By Mr. LEAVITT: A bill (H. R. 10584) to authorize the Secretary of the Interior to restore natural landscape conditions in Glacier National Park, Mont.; to the Committee on the Public Lands.

By Mr. HAWLEY: A bill (H. R. 10585) to amend section 9 of the trading with the enemy act; to the Committee on Ways and Means.

By Mr. SUTHERLAND: A bill (H. R. 10586) fixing the salaries of United States commissioners in Alaska; to the Committee on the Judiciary.

By Mr. LEECH: A bill (H. R. 10587) to provide for the construction of certain public buildings, and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. ZIHLMAN: Joint resolution (H. J. Res. 261) authorizing the Secretary of Agriculture to make a preliminary examination and survey as to probable cost of improving and widening the present Lincoln Highway from Washington, D. C., to Gettysburg, Pa.; to the Committee on Roads.

MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

By Mr. ALDRICH: Memorial of the General Assembly of the State of Rhode Island urging the passage of Senate Joint Resolution 20 for the promotion of peace and the equalization of burdens and the minimizing of war profits; to the Committee on Foreign Affairs.

By Mr. BURDICK: Memorial of the General Assembly of the State of Rhode Island urging the passage of Senate Joint Resolution 20 for the promotion of peace and the equalization of burdens and the minimizing of war profits; to the Committee on Foreign Affairs.

By Mr. O'CONNELL of Rhode Island: Memorial of the General Assembly of the State of Rhode Island, urging the passage of Senate Joint Resolution 20, for the promotion of peace and the equalization of burdens and the minimizing of war profits; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BACON: A bill (H. R. 10588) granting an increase of pension to Annie C. Snyder; to the Committee on Invalid Pensions.

By Mr. BAIRD: A bill (H. R. 10589) granting an increase of pension to Anna Kreutzer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10590) granting a pension to Abigail Carter; to the Committee on Invalid Pensions.

By Mr. BOWMAN: A bill (H. R. 10591) granting an increase of pension to Minerva J. Menefee; to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 10592) granting a pension to Eliza E. Sydnor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10593) granting an increase of pension to Margaret Woodson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10594) granting a pension to Caroline Schroer; to the Committee on Invalid Pensions.

By Mr. CRAIL: A bill (H. R. 10595) granting an increase of pension to Rebecca Backman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10596) for the relief of Charles Nisbet Nicol; to the Committee on Naval Affairs.

By Mr. CROSSER: A bill (H. R. 10597) granting a pension to Pearl A. Phearson; to the Committee on Pensions.

By Mr. DEMPSEY: A bill (H. R. 10598) granting a pension to Alice Young; to the Committee on Invalid Pensions.

By Mr. DRANE: A bill (H. R. 10599) for the relief of James B. Tucker; to the Committee on Military Affairs.

By Mr. FITZGERALD: A bill (H. R. 10600) for the relief of Robert Keuthan; to the Committee on Military Affairs.

By Mr. KENDALL of Kentucky: A bill (H. R. 10601) granting an increase of pension to William Hargis; to the Committee on Pensions.

By Mr. LEECH: A bill (H. R. 10602) granting a pension to Abraham Byers; to the Committee on Invalid Pensions.

By Mr. MARTIN: A bill (H. R. 10603) granting an increase of pension to Velona L. Hewitt; to the Committee on Invalid Pensions.

By Mr. MOORE of Kentucky: A bill (H. R. 10604) granting an increase of pension to Willie Herschel Meek; to the Committee on Pensions.

By Mr. MURPHY: A bill (H. R. 10605) granting an increase of pension to Hannah E. Lavery; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10606) granting an increase of pension to Anna Fryer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10607) granting an increase of pension to Mary Jane Long; to the Committee on Invalid Pensions.

By Mr. NELSON of Missouri: A bill (H. R. 10608) for the relief of R. W. Selvidge; to the Committee on Claims.

By Mr. PEAVEY: A bill (H. R. 10609) for the relief of Peter Wilson; to the Committee on Military Affairs.

By Mr. PRITCHARD: A bill (H. R. 10610) for the relief of Mack Corn; to the Committee on War Claims.

By Mr. PURNELL: A bill (H. R. 10611) granting an increase of pension to Nancy J. Stevens; to the Committee on Invalid Pensions.

By Mr. RAMSEYER: A bill (H. R. 10612) granting a pension to Mary Herod; to the Committee on Invalid Pensions.

By Mr. SEGER: A bill (H. R. 10613) granting an increase of pension to Catherine Wirth; to the Committee on Invalid Pensions.

By Mr. SIMMONS: A bill (H. R. 10614) for the relief of Georgia A. Muirhead; to the Committee on Claims.

By Mr. SPARKS: A bill (H. R. 10615) for the relief of Alexander M. Proctor; to the Committee on Military Affairs.

By Mr. SPROUL of Kansas: A bill (H. R. 10616) granting an increase of pension to Nicholas D. Bearly; to the Committee on Pensions.

By Mr. SUMNERS of Texas: A bill (H. R. 10617) granting an increase of pension to Alvira Powell; to the Committee on Invalid Pensions.

By Mr. SWICK: A bill (H. R. 10618) granting an increase of pension to Catherine Heyl; to the Committee on Invalid Pensions.

By Mr. THATCHER: A bill (H. R. 10619) granting an increase of pension to Agnes Maydwell; to the Committee on Invalid Pensions.

By Mr. YON: A bill (H. R. 10620) granting a pension to Laura F. Granpner; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5378. Petition of Cuyahoga County Council of the American Legion, expressing its approval of the general increase in pay of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service as recommended by the interdepartmental board; to the Committee on Military Affairs.

5379. Petition of sundry citizens of Stamping Ground, Ky., favoring the enactment of legislation providing for increased rates of pension to Spanish War veterans, etc.; to the Committee on Pensions.

5380. By Mr. ALDRICH: Resolution of the town council of the town of West Warwick, R. I., urging that legislation be enacted providing for the proper observance on October 11 each year in honor of the memory of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

5381. By Mr. BACON: Memorial of the Federal Grand Jurors' Association for the Eastern District of New York, in support of the Porter bill creating a narcotic bureau to better cope with the existing widespread drug traffic; to the Committee on the Judiciary.

5382. Also, petition of sundry citizens of Long Beach in favor of increased pensions for Spanish War veterans; to the Committee on Pensions.

5383. By Mr. BAIRD: Petition of citizens of Perkins Township, Ohio, favoring passage of House bill 2562; to the Committee on Pensions.

5384. Also, petition of Franklin County Council, American Legion, Columbus, Ohio, favoring increased pay for members of the Army, Navy, Marine Corps, and other public services; to the Committee on Appropriations.

5385. By Mr. BRUNNER: Petition of the Woodhaven Democratic Club (Inc.), indorsing the La Follette-O'Connell Saturday half-holiday bill, and urging Congress to pass upon same favorably at an early date; to the Committee on the Post Office and Post Roads.

5386. By Mr. BUCKBEE: Petition of J. Albert Lofgren and 68 other citizens of Pecatonica, Ill., asking for early passage of House bill 2562, providing for increased rates of pension to the men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

5387. By Mr. CHASE: Petition of certain citizens of Liberty Township, Centre County, in the twenty-third congressional district of Pennsylvania, and Beech Creek Borough, Pa., urging

action during the present session on legislation providing for increases in pensions to veterans of the Spanish-American War; to the Committee on Pensions.

5388. By Mr. CHINDBLOM: Petition of Albert Hardy and 45 other citizens of Zion, Ill., indorsing House bill 2562 and Senate bill 476 providing increased pensions for Spanish-American War veterans; to the Committee on Pensions.

5389. Also, petition of Harold L. Perry and 80 other citizens of Waukegan, Ill., and vicinity indorsing House bill 2562 and Senate bill 476 providing increased pensions for veterans of the Spanish-American War period; to the Committee on Pensions.

5390. Also, petition of John R. West and 64 other citizens of Zion, Ill., indorsing House bill 2562 and Senate bill 476 providing increased pensions for veterans of the Spanish-American War period; to the Committee on Pensions.

5391. By Mr. CONNERY: Resolutions of West Boxford (Mass.) Grange in favor of debenture plan and in opposition to tariff on lumber, shingles, and building material; to the Committee on Ways and Means.

5392. Also, resolution of the City Council of Lawrence, Mass., memorializing Congress to enact legislation for the proper commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

5393. By Mr. COYLE: Resolution of the city council of the city of Easton, Northampton County, Pa., urging the enactment into law of House Joint Resolution 167 directing the President to proclaim October 11 of each year as General Pulaski's memorial day; to the Committee on the Judiciary.

5394. By Mr. CULLEN: Resolution of the Sons of the Revolution in the State of New York, indorsing the principle of military training in Reserve Officers' Training Corps, and citizens' military training camp, and in high schools with Government aid; to the Committee on Military Affairs.

5395. By Mr. DRANE: Petition of citizens of Bradenton, Fla., in support of a Civil War pension bill providing increased pensions; to the Committee on Invalid Pensions.

5396. By Mr. ESTEP: Petition of Stone and Marble Masons Union of Pittsburgh, Pa., urging passage of House bill 9232 and Senate bill 3086; to the Committee on Public Buildings and Grounds.

5397. Also, petition signed by members of the Pittsburgh Hospital Association, Pittsburgh, Pa., opposing the Porter anti-narcotic bills, H. R. 9053 and 9054; to the Committee on Ways and Means.

5398. By Mr. FREE: Petition of A. J. Meidl and 92 other residents of Watsonville, Calif., urging passage of House bill 2562 and Senate bill 476 providing for increased rates of pension to men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

5399. By Mr. GARBNER of Oklahoma: Petition of Corwin Johnson Drug Stores and Crown Drug Co., Ponca City, Okla., urging support of House bill 11; to the Committee on Interstate and Foreign Commerce.

5400. Also, petition of Frank Samuel & Co., Philadelphia, Pa., protesting against bill providing for duty of 10 to 30 per cent on ores containing manganese; to the Committee on Ways and Means.

5401. By Mr. HAWLEY: Petition of citizens of Gold Hill, Oreg., praying for pension legislation; to the Committee on Pensions.

5402. By Mr. HESS: Petition of various citizens of Hamilton County, Ohio, urging the passage of the Manlove bill, H. R. 8976; to the Committee on Pensions.

5403. By Mr. JOHNSON of Nebraska: Petition of Farragut Post, Grand Army of the Republic, Lincoln, Nebr., urging the passage of House bill 4898; to the Committee on the Library.

5404. By Mr. JOHNSON of Texas: Petition of W. C. Minton, C. J. Waller, K. S. Black, and J. W. Toland, of Kosse, Tex., indorsing House bill 11, Kelly resale price bill; to the Committee on Interstate and Foreign Commerce.

5405. Also, petition of J. H. Munroe, of Corsicana, Tex., indorsing House bill 11, resale price bill; to the Committee on Interstate and Foreign Commerce.

5406. By Mr. KENDALL of Kentucky: Petition of citizens of Greenup County, Ky., in which they respectfully request the early passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

5407. By Mr. KENDALL of Pennsylvania: Petition of certain citizens of Somerset County, Pa., urging passage of Senate bill 476 and House bill 2562, providing for increased rates of pensions to Spanish-American War veterans; to the Committee on Pensions.

5408. By Mr. KIESS: Petition of citizens of Williamsport, Pa., favoring Senate bill 476 and House bill 2562, granting in-

creased pensions to Spanish-American War service men; to the Committee on Pensions.

5409. Also, petition of citizens of Antrim, Pa., favoring Senate bill 476 and House bill 2562, granting increased pensions to Spanish-American War service men; to the Committee on Pensions.

5410. Also, petition of citizens of Liberty, Pa., favoring the passage of Senate bill 476 and House bill 2562, granting increased pensions to Spanish-American War veterans; to the Committee on Pensions.

5411. By Mrs. McCORMICK of Illinois: Petition of sundry citizens of the State of Illinois, urging the favorable consideration of House bill 2562, for the relief of Spanish-American War veterans and widows of veterans; to the Committee on Pensions.

5412. By Mr. MOORE of Ohio: Petition signed by citizens of Guernsey County, Ohio, urging passage of bills providing for increased rates of pension for Spanish War veterans; to the Committee on Pensions.

5413. By Mr. NEWHALL: Petition of Andrew J. McNay and sundry other citizens of the sixth district of Kentucky, urging the speedy consideration and passage of House bill 2562 and Senate bill 476, providing for increased rates of pension to the men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

5414. Also, petition of sundry citizens of Campbell and Kenton Counties, Ky., urging the speedy consideration and enactment of House bill 2562 and Senate bill 476 providing for increased rates of pension to the men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

5415. By Mr. O'CONNELL of New York: Petition of the Federal Grand Jurors' Association for the Eastern District of New York, Brooklyn, N. Y., favoring the passage of the Porter bill creating a narcotic bureau; to the Committee on Foreign Affairs.

5416. Also, petition of Woodhaven Democratic Club (Inc.), Woodhaven, Long Island, N. Y., favoring the passage of the La Follette-O'Connell bill, H. R. 167, Saturday half holiday for postal employees; to the Committee on the Post Office and Post Roads.

5417. By Mr. O'CONNOR of New York: Resolution of the board of managers, Sons of the Revolution, in the State of New York, indorsing the principle of military training in Reserve Officers' Training Corps and citizens' military training camps and in high schools with Government aid; to the Committee on Military Affairs.

5418. By Mr. PARKS: Petition of Spanish War veterans, urging passage of House bill 2562 granting an increase of pensions to Spanish-American War veterans; to the Committee on Pensions.

5419. By Mr. PEAVEY: Petition of citizens of Douglas County, Wis., urging immediate passage of House bill 2562; to the Committee on Pensions.

5420. By Mr. FRANK M. RAMEY: Petition of E. B. Shrout and 74 other residents of Stonington, Ill., urging the passage of Senate bill 476 and House bill 2562 providing for increased rates of pension to the men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

5421. By Mr. RAMSPECK: Petition of A. Shields, Arvel Jones, Elie Barrett, Walter K. Parks, Harvey Oliver, I. R. Williamson, and J. H. Scott, of Atlanta, Ga., in behalf of House bill 2562 and Senate bill 476, providing for an increase of pension to Spanish War veterans; to the Committee on Pensions.

5422. By Mr. SELVIG: Petition of Ingvald Lokstad, of Newfolden, Minn., urging support of the Rankin bill, H. R. 7825; to the Committee on World War Veterans' Legislation.

5423. Also, petition of Minnie Strylund, president, and Ella Golden, secretary, Women's Christian Temperance Union, for 60 members, at Warren, Minn., urging Federal supervision of motion pictures, with view to raising standards; to the Committee on Interstate and Foreign Commerce.

5424. Also, petition of Missionary Society of Warren, Minn., composed of 12 members, Grace Powell, president, and Jennie Blake, secretary, urging Federal supervision of motion pictures to establish higher standards; to the Committee on Interstate and Foreign Commerce.

5425. Also, petition of Mothers' Club, of Warren, Minn., Mrs. N. O. Stadum, president, and Mrs. A. B. Brown, secretary, unanimously adopting resolution favoring Federal supervision of motion pictures with view to raising standards; to the Committee on Interstate and Foreign Commerce.

5426. By Mr. SIMMONS: Petition of 66 citizens of Greeley, Nebr., asking for speedy consideration and passage of pending bills providing for increased rates of pension to the men who

served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

5427. Also, petition of 72 citizens of Scotts Bluff County, Nebr., asking for speedy consideration and passage of pending bills providing for increased rates of pension to the men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

5428. By Mr. SPROUL of Illinois: Petition of 157 citizens of Cook County, Ill., urging the enactment of House bill 2562; to the Committee on Pensions.

5429. By Mr. STRONG of Pennsylvania: Petition of citizens of Freeport, Pa., in favor of increased rates of pension for veterans of the war with Spain; to the Committee on Pensions.

5430. By Mr. SWICK: Petition of Harvey F. Steinbrink and 73 residents of New Castle, Lawrence County, Pa., urging the enactment of Senate bill 476 and House bill 2562, providing for increased rates of pension for the men who served in the armed forces of the United States in the war with Spain; to the Committee on Pensions.

5431. By Mr. SWING: Petition of Robert M. Charles and 82 citizens of Anaheim, Calif., urging the adoption of Senate bill 476 and House bill 2562; to the Committee on Pensions.

5432. Also, petition of several hundred of the citizens of the eleventh congressional district of California, urging the passage of the Box bill to restrict Mexican immigration; to the Committee on Immigration and Naturalization.

5433. By Mr. TEMPLE: Resolution of Women's Christian Temperance Union, Waynesburg, Pa., in support of legislation for the Federal supervision of motion pictures establishing higher standards for films that are to be licensed for interstate and international commerce; to the Committee on Interstate and Foreign Commerce.

5434. By Mr. UNDERWOOD: Petition of Corning Aerie, No. 463, Fraternal Order of Eagles, located at Corning, Ohio, approving Senate bill 3257 providing for a Federal appropriation of \$10,000,000 to assist those States now having old age pension law; to the Committee on Appropriations.

5435. By Mr. WARREN: Petition of Dr. W. T. Griggs and 16 other citizens of Currituck County, N. C., in favor of increased pensions for Spanish-American War veterans; to the Committee on Pensions.

5436. By Mr. WINGO: Petition of citizens of Montgomery County, Ark., in behalf of Senate bill 476 and House bill 2562 increasing pensions of Spanish-American War veterans; to the Committee on Pensions.

5437. Also, petition of citizens of Logan County, Ark., in behalf of Senate bill 476 and House bill 2562 increasing pensions for Spanish-American War veterans; to the Committee on Pensions.

5438. By Mr. ZIHLMAN: Petition of citizens of Garrett County, Md., urging speedy and favorable action on Senate bill 476 and House bill 2562 providing for increased rates of pension to Spanish War veterans; to the Committee on Pensions.

SENATE

SATURDAY, March 8, 1930

(Legislative day of Monday, January 6, 1930)

The Senate met at 10 o'clock a. m., on the expiration of the recess.

AWARDS OF MIXED CLAIMS AND TRIPARTITE CLAIMS COMMISSIONS

The PRESIDING OFFICER (Mr. FESS in the chair) laid before the Senate the amendments of the House of Representatives to the joint resolution (S. J. Res. 109) extending for two years the time within which American claimants may make application for payment, under the settlement of war claims act of 1928, of awards of the Mixed Claims Commission and of the Tripartite Claims Commission, which were, on page 1, after line 7, to insert a new paragraph to read as follows:

SEC. 2. Subsection (d) of section 25 of the trading with the enemy act, as amended, is hereby amended by striking out the term "two years" in clause (1) of said subsection and inserting in lieu thereof the term "three years."

And to amend the title so as to read: "Extending for two years the time within which American claimants may make application for payment, under the settlement of war claims act of 1928, of awards of the Mixed Claims Commission and of the Tripartite Claims Commission, and for one year the time within which claims may be filed with the Alien Property Custodian."

Mr. SMOOT. I move that the Senate concur in the amendments of the House.

The motion was agreed to.